

HOUSE OF REPRESENTATIVES—Tuesday, July 24, 1984

The House met at 12 o'clock noon.

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

Help us, O Lord, to see in our daily tasks that opportunity to do Your work in our world. Enable us to focus on what is important and not only transitory, on what is essential and contributes to our common good. As we acknowledge our creation by Your hand encourage us to help build a better world, where justice and respect and dignity will be the marks of our humanity. This we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

GERALDINE FERRARO: A POLITICAL PIONEER

(Mr. DOWNEY of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNEY of New York. Mr. Speaker, we have allowed, in this age of information, statistics to masquerade as measurements for every aspect of American life from military power to economic security.

But, Mr. Speaker, it is the things we cannot measure statistically that make us a great people; the lessons of freedom and justice embodied in our Constitution, the hope and love of parents for their children, and the vitality and innovation of our artist and scientists. This is the foundation of our Republic.

Our national spirit knows no index and brooks no poll.

Our spirit and sense of opportunity soared when Walter Mondale chose GERALDINE FERRARO to be his running mate. It has been a long and difficult struggle for the women of our land. Our greatness rests with our ability to confront inequality and set it straight.

We can say with confidence that this daughter of Italian immigrants, self-made in the finest of American traditions, is truly a political pioneer.

Past generations understood the special meaning of the names Abraham, Martin, and John. Future generations will know the importance of GERALDINE, BARBARA, PATRICIA, and LINDY. Their time is now.

As an American, as a Member of this great institution, as a New Yorker and as a proud Italian American, I bear witness to this historic moment—the true beginning of a new political era.

Bellissima, GERRY, bellissima!

REPRESENTATIVE FERRARO WILL CONTINUE TO PURSUE ISSUES OF SPECIAL CONCERN IN THE HOUSE IN COMING WEEKS

(Ms. FERRARO asked and was given permission to address the House for 1 minute.)

Ms. FERRARO. Mr. Speaker, when I last stood on the floor of this House on June 29, little did I know that I would return less than a month later as our party's nominee for Vice President of the United States.

Because I respect the rules and the Members of this House, I have a problem. My problem is: How do I explain in 1 minute what my 6 years in this House, the people's House, has meant to me?

If there is one negative in this immense and exciting challenge that lies before our Democratic ticket, it is that I will have to give up my congressional seat in order to run.

When I arrived in Washington in January 1979, I had so very much to learn and so many wise and experienced men and women to teach me. Last January, when we mourned the death of our friend and colleague, Ben Rosenthal, I spoke of how much he had helped me find my bearings in this august and historic body. There are many, many others like him on both sides of the aisle, and I thank you.

How well I still recall my first major floor appearance. It was a heartfelt speech on behalf of peace in Cyprus. In the midst of my impassioned rhetoric, the wrong word slipped out and I could not go on because I burst out laughing. John Brademas, who was managing the bill, almost slipped under the table because he did not want to look at me. And all of my colleagues were enjoying the laugh as well. This House, I quickly learned, is a place where we take the issues confronting this Nation very, very seriously but take ourselves a little less seriously.

This is not a farewell address. I plan to spend as much time as possible here in the coming weeks pursuing those issues of special concern to me and the people of the Ninth Congressional District in Queens which I still represent.

But I did want you, Mr. Speaker, and my colleagues to know how deeply I respect and cherish this institution and the distinguished men and women I have come to know over the past 6 tough, demanding, inspiring, and productive years.

Thank you all from the bottom of my heart.

GERALDINE FERRARO: A RECORD TO BE PROUD OF

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I want to remind our colleagues of the many bills of interest to women and children GERALDINE FERRARO has been pushing here in the House: a private pension reform initiative, child support enforcement, pay equity, insurance discrimination reform, the 1984 Civil Rights Act, and numerous others.

FERRARO has been a leading member of the congressional caucus for Women's Issues. In 1982, she chaired special House Democratic caucus task force on women's issues.

It is a record to be proud of. Certainly GERALDINE FERRARO has done more from her single seat in the House to advance the rights of women and children than the entire Reagan administration put together. No wonder Vice President Bush is afraid to debate her.

□ 1210

HISTORY IN THE MAKING

(Ms. OAKAR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. OAKAR. Mr. Speaker, history was made by Walter Mondale last week when he became the first Presidential candidate to choose a woman as his Vice Presidential running mate. He chose a woman of great quality; a leader in our own House of Representatives, our colleague, our friend, GERALDINE FERRARO.

I am convinced that GERALDINE will help lead our country with a conscience and sense of caring. She will have as her ultimate purpose to bring peace to this global community, fairness to all of our Americans, and tranquility to all.

I especially want to thank GERALDINE for the great work she did on the issue that relates to economic justice for women, pay equity. It was GERAL-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

DINE and PAT SCHROEDER, along with the help of myself that brought the issue forward, and this means much to the issue of economic justice, particularly younger women, and of course, older women who experience great hardship. So we are blessed to have known GERALDINE; we wish her well. All of us are pledged to work for her leadership in this country and her election and Walter Mondale's election in November.

THE SPOTLIGHT IS ON ALL OF US

(Ms. MIKULSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MIKULSKI. Mr. Speaker, I rise with my colleagues in the House to join in the acclaim of the nomination of GERALDINE FERRARO for the Vice Presidency of the United States. I would also like to say that when Walter Mondale turned the spotlight on GERALDINE FERRARO, he turned the spotlight on all of us, all of my congressional sisters. We appreciate that. For Congresswoman FERRARO is not an overnight success. She has worked for 48 years to be the woman that stands before us and before the country today. It was the hard work of her mother and her family and those who helped her.

As we pay respect to Congresswoman FERRARO today, I would like in her behalf to pay the respects to those people who made the nomination possible. First of all, for those wonderful women who worked to give us the vote; those wonderful women who will now work to include us in the Constitution as we include ourselves in the White House.

I would like to thank the mothers of the Congresswomen who encouraged us to pursue excellence, and all of those other women who were role models. I know for people like GERALDINE and MARY ROSE and LINDY and BARBARA KENNELLY, the nuns played a very important role in showing us how women could combine femininity and the pursuit of intellectual excellence.

Last but not at all least, I would like to thank the fathers. We know that GERRY's father died before she could reach maturity. My own father supported me in a way that was unusual for a man of his time. He, like my mother, believed girls should have an education and a real chance to pursue the American dream.

It was our parents, the nuns, the Girl Scout leaders, a lot of us that went into shaping a GERALDINE FERRARO in all of us, and we appreciate the fact that Walter Mondale probably finally brought all of us to the world's attention.

God's speed, GERRY, you are going to need it.

A LONG TIME IN THE MAKING

(Mrs. BOGGS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOGGS. Mr. Speaker, history indeed has been made with the nomination of GERALDINE FERRARO as the Democratic Vice Presidential candidate. It was a long time in the making. Two hundred and eight years ago, Abigail Adams cautioned her husband John that when they were writing the Declaration of Independence that they had best remember the ladies, else they would foment a rebellion and grant their own rights to themselves.

Well, Mr. Speaker, the rebellion has arrived, and we indeed have a woman who can head this ticket as the Vice Presidential nominee with grace and integrity and charm, but indeed with a great deal more with her energy and her fine intelligence, and the fact that she is such a good human being. A loving mother, a devoted wife, and a very caring daughter. The very kind of person that a young Member of Congress said to her one day that, "If there are going to be power politics played and great decisions made about the future of our lives, I want to be sure that GERALDINE FERRARO is in that room."

Thank God, Mr. Speaker, she will be in the room. I believe that Abigail Adams would salute the choice!

A STEP FORWARD HAS BEEN MADE

(Mrs. COLLINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS. Mr. Speaker, it is a great deal of pride that I felt while I was sitting in San Francisco last week when GERALDINE FERRARO, by acclamation, was named the nominee for the Vice President of the United States.

It has been said here today that she represents women and that we are all very proud of her. I have a special pride for GERALDINE because I know how hard it has been for a woman to get anyplace. Being both black and a woman, I know that it has not been very easy to move forward with one's career. I was extremely happy for GERALDINE FERRARO, because I knew that a step forward had been made in our history.

If GERALDINE is to become our Vice President in 1984—and I believe she will with our help—I truly believe that the times are opening up in America, and that all of us, black and brown and yellow and red, et cetera, can all feel very proud of her because now we also know that our time has come. I pledge my full, active, aggressive support to her and to our Democratic ticket.

A REPRESENTATION OF HOPE

(Mrs. BOXER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BOXER. Mr. Speaker, Congresswoman FERRARO, GERRY, you represent so much hope to all Americans and not just to women. But, to American women, you represent the equality they deserve and they have earned. To American men, you represent the sharing of the awesome responsibility of governing; a responsibility that should be shared.

To American children, GERALDINE, you represent the knowledge that they can pursue their dreams with an increased sense of optimism.

I want to take a moment to talk to the President, who calls your nomination a token. I want to ask the President if he thought it was a token when GEORGE BUSH cast the tie-breaking vote in the Senate for the MX? Did he think it was a token when GEORGE BUSH cast the tie-breaking vote in the Senate for chemical weapons? I do not think that is a token.

GERALDINE, I wish you were there already. I know you are going to be there, and we are with you all the way.

WHAT CAN HAPPEN IN A FEW WEEKS?

(Mrs. KENNELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Speaker, is it not wonderful what can happen in a few weeks? We left here on a Friday night quite exhausted, having done our duties as Congressmen and Congresswomen. We return here this morning feeling so good because one of us, one of the Members of the House of Representatives of the United States has become the nominee of the Democratic Party for Vice President of the United States.

Right now, Mr. Speaker, the emphasis is on GERALDINE FERRARO, the woman. But, Mr. Speaker, in a few weeks the focus will be on GERALDINE FERRARO, the individual, the woman we know as an activist on the Public Works Committee and a person who represents her constituency beautifully. A woman on the Budget Committee who understood where we were and where we were going and where we had to go to improve our infrastructure.

This woman is a proud Member of the U.S. Congress. She is now going out on the road, going across America, to explain what we are all about. We who know her best, we who have stood side by side with her, are awfully proud today.

IT IS ABOUT TIME

(Mrs. BURTON of California asked and was given permission to address the House for 1 minute.)

Mrs. BURTON of California. Mr. Speaker, other nations have had women leaders for centuries; now the United States will elect a woman Vice President, and it is about time. Walter Mondale showed his insight and good judgment when he chose someone we all know will thoroughly impress the Nation.

We are so pleased that GERRY FERRARO is the Democrat's nominee. But the House is honored to have one of its own to run in this historic campaign. I am especially pleased that she was nominated in my own city of San Francisco.

Mr. Speaker, I join you and other Members in wishing GERRY the best of luck and success in the coming months and years, and we will all miss you, GERRY.

□ 1220

CONGRATULATIONS AND GOOD LUCK

(Mrs. HALL of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HALL of Indiana. Mr. Speaker, it is indeed a pleasure to be here today and to congratulate my colleague, GERALDINE FERRARO.

I have never enjoyed a convention as much as I did the one in San Francisco, because not only was it refreshing, it strengthened all of the women in this country who truly believe in equality. To have GERALDINE FERRARO nominated as the Vice Presidential candidate certainly is one of the greatest milestones that America has ever made.

I look forward to working very hard to make sure that she is elected and that she serves us well and that America allows a woman to hold the No. 2 spot.

Congratulations; good luck. We all share your future.

GERRY, WE WISH YOU GODSPEED

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, it is with great pride and joy that we welcome back to the House one of our own. Since we recessed, the gentlewoman from New York, GERALDINE FERRARO, our friend GERRY, has transformed American political history and advanced the cause of social justice and equality for all Americans.

As she campaigns across America, all our citizens will come to know her as

we do, as one who is compassionate, pragmatic, intelligent, and hard working. She knows what America is all about. She knows about the struggles of the average family. She knows what it means to shop, what utility bills can do to a family budget. She knows the value of a decent education for our children, and the special problems women face in our society. She has a deep and abiding concern for world peace and human rights. She is a tribute to this great body, the House of Representatives, the people's House, the body closest to the people.

GERRY, we wish you Godspeed.

NOT A WOMAN, NOT A MAN, BUT A VICE PRESIDENTIAL CANDIDATE

(Mrs. BYRON asked and was given permission to address the House for 1 minute.)

Mrs. BYRON. Mr. Speaker, let me say to GERRY, we came in this body together. I hope she is leaving me behind as she moves on.

One of the things that she mentioned when she addressed this House today was that it has been 6 short years. They have been short; but they also have been long.

One of the things that we were all asked as we arrived here 6 years ago: what it was like to be a woman in a man's world. One of the things that I have consistently said, and I think GERRY has consistently said, is that we are all Members of Congress. We are not men and we are not women. We are Representatives. I think once and for all the Democratic Party has put that to rest. We have a Vice Presidential candidate—not a woman, not a man, but a Vice Presidential candidate.

WE ARE PROUD OF YOU, GERRY

(Mrs. LLOYD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LLOYD. Mr. Speaker, I am very happy today to stand here among my colleagues and applaud Mr. Mondale for choosing GERALDINE FERRARO as our candidate for Vice President.

GERALDINE FERRARO is a very hard working, a very articulate, a very capable Member of this body who happens to also be a woman. I think it is important to realize that it is not GERRY's nomination, but the nomination of the Democratic Party bestowed on a candidate who brings enormous talent and ability to this position.

For a long time, when a little boy was born, his parents would say, "You know, he may grow up to be President some day." Now the parents of little girls can also say, "You know, she just may be the first woman President."

It is a great day. I think it has brought a new spirit across America, a spirit that is really capturing the hearts of Americans, that a woman has been chosen. We are proud of you, GERRY.

GERALDINE FERRARO, THE QUEEN OF QUEENS

(Mr. ADDABBO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADDABBO. My district adjoins GERRY's.

Mr. Speaker, it is indeed a proud moment for us in the House, and especially for us who live back home with GERRY in Queens, to welcome her here today as Vice Presidential nominee and a Vice President to be, the Queen of Queens, GERALDINE FERRARO.

We in Queens knew the value and the potential of GERRY for many years. We have worked for her elections. It was my privilege as the dean of the New York delegation and a senior Member from Queens to campaign way back in 1978 with GERRY, knowing that she would make a great Representative from Queens, and now the entire Nation will know how great a lady she is, and most important, how great a public servant she is.

GERALDINE FERRARO SHATTERS A MYTH

(Mr. RANGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, I would like to join with my colleagues, those of us from the city of New York, who have so many reasons to be proud, certainly when the House of Representatives knows that we will have somebody not only in the White House that would understand our legislation and understand our constitutional responsibilities, and just as importantly, preside over the other body.

It seems that all of us, Republicans and Democrats, will have a real victory when GERALDINE FERRARO becomes our next Vice President. Of course those of us who have suffered over the years in not having people understand the real problems that we have in the city of New York are going to have a special political joy in knowing that you may not understand it in the House but we will indeed have a friend in the White House who will understand the unique problems that we have in the city.

Certainly from a more important historical view, I think that so many of us in this country who believe that in our own race, our culture, and our backgrounds we have so many citizens who are just born to feel that they

cannot dream and aspire to this high office and that women certainly have been historically put into this group, where sometimes their parents and their friends have counseled them not to be courageous in terms of reaching for the highest political office that we have in this country, that we believe that because GERALDINE FERRARO has so prepared herself for this great honor that when she shatters the myth that there are citizens who, just because of their sex and their backgrounds, will not be able to dream of becoming President, that certainly there are other groups in this country who now know that when she carries the torch for herself and for women, she carries it for so many other people who would like to say that in this great country of ours there is nobody who cannot be considered to be President of the United States if he or she is prepared to assume that great responsibility.

A CREDIBLE AND VIABLE CANDIDATE

(Mr. SCHEUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHEUER. Mr. Speaker, a few moments ago one of us gave thanks to the people who made GERALDINE's nomination possible. I would like to give thanks to the person who has helped make GERALDINE's nomination credible and viable. Of course, that person is none other than GERALDINE herself.

I have heard remarks, and speeches, and asides, that GERALDINE is not qualified for the office. Frankly, Mr. Speaker, I do not think anybody is qualified to be President of the United States. There is no experience, there is no job training, there are no university courses, that can qualify a person for this awesome responsibility. But I think if one looks at the Presidents who have achieved greatness and distinction one will see that they all have qualities in common, and indeed qualities in common with GERALDINE.

They have greatness of mind, heart, and soul. They have ability to communicate warmly with people. They have decency. They have humanity. They have horse sense. They have common sense. They have ability to make sensible judgments. They have high intelligence. Above all, they have compassion and love for their fellow man, love for their Constitution, and for their country.

I think these qualities of heart and mind and soul, qualities of character and integrity that GERALDINE brings to this candidacy make her preeminently qualified not only for the office for which she is running, but for the office from which, if she succeeds in

her quest she will be separated by but a heartbeat.

□ 1230

FERRARO NOMINATION EVOKES PRIDE IN THE HOUSE

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, it is a pleasure to join my colleagues in welcoming Representative GERALDINE FERRARO back to the House. In the past 2 weeks, she had made us all proud—proud to be Americans and proud to be Members of this House from which a colleague can go forth to be the nominee of his or her party for the office of Vice President of the United States.

For women in this country, this has been an especially exciting time. As Representative FERRARO said herself 2 weeks ago in Minneapolis when she was first introduced by Vice President Mondale as his running mate, "there is an electricity in the air, an excitement, a sense of new possibilities and of pride."

Certainly that excitement was present in San Francisco at the convention last week and it is here in the air today. Everyone returning to Washington must have noticed that Representative FERRARO's candidacy remains the No. 1 item of discussion.

As the father of three daughters, I am thrilled by the Ferraro candidacy. It shows them that all things are possible; that indeed their opportunities are endless. Many young women will look back on this candidacy as the one event that led them to think seriously about pursuing a career in politics and Government; that their contributions to this country are real and lasting.

Finally, Representative FERRARO goes forth not only as a trailblazer, proving to all America what many of us have known—that women are up to the job of the Vice Presidency and the Presidency, but proving, too, that Members of the House have the experience and the political savvy to add much to a national ticket.

There are challenging days ahead for our friend and colleague, GERALDINE FERRARO. I am confident that she will duplicate her many successes here in the House on the campaign trail. And as Vice President I know that she will not only keep the faith with her children, but also with us and the American people.

NORTH CAROLINA'S INVITATION TO GERALDINE FERRARO

(Mr. HEFNER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HEFNER. Mr. Speaker, GERALDINE, I knew all along that it was going to be you, and I told you right back then before you went to San Francisco that it was going to be you. There was no doubt about it.

I want to congratulate you, and I want to say this to you and to all the folks in this House: I was in North Carolina at a family day in China Grove, NC. You did not hear a lot about it in the Washington Post, but there were an awful lot of folks from North Carolina there. Folks were saying to me, "What is GERALDINE FERRARO like?"

I said, "Well, we would like to have her come to North Carolina and talk to you folks about family and what this country is all about." And, GERALDINE, I am extending to you an invitation on behalf of the folks from North Carolina to come to China Grove and to Salisbury and let the folks see you and talk to you and let you talk to them about what this American system is all about.

I congratulate you, GERALDINE, and I just want to say to you what we say in North Carolina. We have got an old saying: "You done good."

CONGRATULATIONS TO GERALDINE FERRARO FROM THE DEAN OF THE NEW YORK DELEGATION

(Mr. STRATTON asked and was given permission to address the House for 1 minute.)

Mr. STRATTON. Mr. Speaker, as the dean of the New York delegation and as an early supporter and as one who predicted that GERALDINE would be nominated for Vice President, this is the first time that I have had the opportunity to even come close to her since her designation by Mr. Mondale, even though I was at the convention. The minute that GERALDINE's selection was announced, it was impossible to get through to her on the telephone. And at the convention she was surrounded by Secret Service. Even the Speaker's car was stopped in the San Francisco traffic so that GERALDINE's limousine could get by. So I am delighted to congratulate her now, in person.

We are delighted that she is the nominee, and I will predict that not only the Democrats in New York State but also the Republicans in New York State are going to be voting for the Ferraro-Mondale ticket as a result. She has already added the pizzazz that I predicted she would add to the Democratic ticket.

PIONEER SPIRIT OF TEXAS RE-KINDLED BY FERRARO NOMINATION

(Mr. COLEMAN of Texas asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. COLEMAN of Texas. Mr. Speaker, the historic selection of GERALDINE FERRARO as nominee for Vice President of the United States certainly comes as no great surprise to those of us who live in the Southwestern part of the United States, and in west Texas particularly, because it is indeed in that same pioneer spirit, which founded our region, that we now will welcome to Texas a new trail blazer in politics and Government.

We in Texas, I think, have been asked perhaps more than some others about how GERALDINE FERRARO will do politically in our region of the United States. Well, the Texas that GERALDINE will find when she goes there will be the same Texas that passed the equal rights amendment as a part of our Constitution over a decade ago. It will be the same State of Texas that elected a statewide candidate named Anne Richards as our current State Treasurer 2 years ago. We are a State, GERALDINE, that will welcome you with open arms because we believe very strongly as Texans that all Americans will vote for candidates based on their ability, not sex, and I for one, GERALDINE, will be more than happy to stand with you in the Southwestern part of the United States and will be proud to escort you all the way from Pecos to El Paso.

GERALDINE FERRARO WELL QUALIFIED AS VICE PRESIDENTIAL NOMINEE

(Mr. SCHUMER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, there is joy in this House and in this Nation this week with the choice of GERALDINE FERRARO as nominee for the office of Vice President. Once again the Democratic Party has reached out to the future and made history and left the Republicans in its wake. The other party may grumble, but they do not know what to say or do, and so what they now are attempting is to attack our Vice-President-nominee for her lack of qualifications.

But let me say to the Members of this House that the fact of the matter is that GERALDINE FERRARO will not only make a great Vice President, she would make a heck of a better President than the current occupant of the White House. GERALDINE FERRARO will not call catsup a vegetable. GERALDINE FERRARO will not regard the arms race as another event in the upcoming Olympics. GERALDINE FERRARO will not

favor, in a knee-jerk fashion, the rich over the poor and middle income every time, and the people of this Nation know it.

In my normally politically quiescent district, every day since the nomination of GERALDINE FERRARO we have had at least 15 calls each day asking, how can they help in the Ferraro campaign?

Mr. Speaker, the selection of GERALDINE FERRARO makes us feel good to be Americans.

PRIDE IN AMERICA SURFACES WITH FERRARO NOMINATION

(Mr. BEDELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEDELL. Mr. Speaker, we have many problems in this body, we have many problems in Government, but once in a while a person feels compelled to stand up and say, "I am proud to be in this body, and I am proud to be an American." And at this time today I stand up to say that I am proud to see that for the first time in our history we have said that women and men are equal in terms of serving in our Government, and that we can have either a woman or a man serve as Vice President or President in this land of ours.

Of course, one reason for that is because of the qualifications of the young lady who has been selected for this great honor. We are all proud to serve with GERRY FERRARO. My wife and I talked about this some time ago when there was talk that maybe a woman would be chosen, and we said we hoped it would be GERALDINE FERRARO.

During this recent recess, Congressman BARNEY FRANK from Massachusetts came out to my district to visit my farms and to learn about farming, and it has been mentioned that GERALDINE FERRARO comes from New York and the New Yorkers are glad about that. Let me tell you that GERALDINE FERRARO has also been out to the farms of South Dakota to see how our farmers live and what their problems are. That is the type of a leader she would be, a leader for all of us.

GERRY, we are proud of you. We are proud that you have made possible this great step, not just for yourself, but for all of America where the prejudice that has previously existed is no longer there and where we can now say that it does not matter whether you are a boy or a girl or whether you are a man or a woman; we are going to judge, according to the abilities you have, and everyone has equal opportunity to become a leader in this great land of ours.

□ 1240

"A TALE OF TWO CITIES"

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, as the first Republican on my feet this morning and from one New Yorker to another, let me also extend my congratulations to our colleague, the gentlewoman from New York, GERALDINE FERRARO, but at the same time, Mr. Speaker, from one New Yorker to another, let me say that in his keynote address before the Democratic National Convention, Gov. Mario Cuomo called Ronald Reagan's America "A Tale of Two Cities."

Well, Mr. Cuomo, as a fellow New Yorker, your knowledge of Charles Dickens is as weak as your perception of the Reagan record.

Under Carter and Mondale, we had double-digit inflation, economic stagnation, humiliation in Iran. So I would say that Ronald Reagan inherited not two cities but Charles Dickens' "Bleak House." After 4 years of Carter and Mondale, America was suffering from another Dickens-style book called "Hard Times."

But then, thanks to Ronald Reagan, inflation cooled, the economy grew, America went back to work, there was more disposable income, more jobs, more opportunity.

That is right. You guessed it, Under Ronald Reagan, America returned to its "great expectations."

So go back and read your Charles Dickens, Mr. Cuomo. You will have plenty of time after November, when Ronald Reagan will take your candidate, Walter Mondale, and beat the Dickens out of him (Charles Dickens that is).

THE OLYMPIC SYMBOL

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, yesterday I had one of the most thrilling experiences of my life. In behalf of the Boys' and Girls' Club of Pomona, CA, I had the honor and privilege of carrying this Olympic torch. As we all know, this torch is the symbol of competition, sportsmanship and brotherhood—the qualities civilization has strived for since the beginning.

The crowds that gathered on the streets to watch were a microcosm of our great Nation: young and old; all colors and economic backgrounds. It was an inspiration. The Washington Post has an article this morning that describes how these games have captured the heart and imagination of a

city more usually known for its calm, nonchalant sense of self-control.

Both the city of Los Angeles and the Olympic committee have done what can only be described as a magnificent job of pulling this whole thing together. Despite the unfortunate Soviet boycott, a record number of nations will attend the XXIII Olympiad. Our athletes are ready, the city is ready and the American people are ready. Beginning this Saturday, in Los Angeles the world will witness firsthand that America is standing tall and proud.

THE QUALIFICATIONS OF GERALDINE FERRARO

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, I, too, would like to congratulate my colleague, the gentlewoman from New York, GERALDINE FERRARO, on her selection as the Vice Presidential nominee of the Democratic Party.

While in my home area over the district work period in southern California, I was asked from time to time for my comments on the selection of GERALDINE FERRARO as the Vice Presidential nominee on the Democratic ticket. I told my friends that, well, I think she is as qualified, GERALDINE FERRARO is, to be Vice President, as Rose Byrd is to be Chief Justice of our State Supreme Court. I think there is an interesting analogy. Rose Byrd never practiced law in the private sector, never served as a trial court judge, never served as a district court of appeals judge, and yet there she sits, Chief Justice of the State Supreme Court, and her stewardship has brought that institution to the point of real serious criticism.

I think it is appropriate to examine the qualifications and the voting record of any of us that stand for public office. Sex is irrelevant. We should judge political candidates on their qualifications and on how they vote. GERALDINE FERRARO has not run statewide. She has not occupied a position of leadership in the House.

The big spending voting record of the distinguished gentlewoman from New York, GERALDINE FERRARO, will say to Americans that if she is elected as our Vice Presidential nominee, we can expect more of this big spending practice from this Democratic leadership.

I do not think the American people want that and I think the administration of Ronald Reagan will demonstrate very clearly the contrast for the people to select which course they choose for our country to follow.

MISSING CHILDREN

(Mr. LEWIS of Florida asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. LEWIS of Florida. Mr. Speaker, I would also like to offer my congratulations to my colleague, the gentlewoman from New York, on her nomination.

Mr. Speaker, pretty, 8-year-old Christy Luna vanished from near her Greenacres City home in May.

Within 24 hours, this Child Keyppers' poster was in store windows, on telephone poles, and in the hands of police officers in three States.

Within a week the Florida Department of Law Enforcement, through its missing children information clearinghouse, had sent details of Christy's disappearance to police agencies all over the United States.

Christy Luna hasn't been found and intense, cooperative efforts such as this don't always produce results but they sure do increase the chances of finding the Christy Lunas of this world.

Mr. Speaker, for the kids I urge you and my other colleagues to support House Concurrent Resolution 301 which urges States to establish statewide missing children clearinghouses and H.R. 5826 which provides the means to do just that.

Please join me on this important legislation for the Christy Lunas in the world.

A GOOD TIME FOR GERALDINE FERRARO TO BEGIN CAMPAIGNING

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, I, too, extend my felicitations to our colleague, the gentlewoman from New York, GERALDINE FERRARO. She is not only a competent lady, but in my mind, she is also a lucky lady, because she begins her travels around the country at a time when the economic news is also at its pinnacle and at its happiest since I have been a Member of Congress; quite a contrast from 1983 when there was a parade of Members of the House who would take this podium to decry the state of the economy and to blame the President of the United States for those conditions.

As GERALDINE begins her campaign now, she can begin her campaign in a day when more people are employed in the United States of America than at any time in the history of our country, when the gross national product is up beyond expectations, when inflation is down beyond the wildest dreams of every American household. It is a good time for GERALDINE to begin her campaign. She will have a

happy country throughout which she can campaign and the problems that remain, we together in the House will help her as Members of the House are supposed to do.

SENIOR CITIZENS WILL BE HAPPY WITH GERALDINE FERRARO

(Mr. PEPPER asked and was given permission to address the House for 1 minute.)

Mr. PEPPER. Mr. Speaker, I know of no group in America who would profit more from having GERALDINE FERRARO in the White House as Vice President than the senior citizens of America.

I was chairman of the House Select Committee on Aging 6 years ago when GERALDINE first came to the House and became a member of that committee. At the same time, she became a member of the Subcommittee on Health and Long Term Care, of which I was then the chairman and still am in the chairman's position.

From the very beginning GERALDINE FERRARO attended the meetings. She was active in the work of the committee. She was very active in the passage of numerous pieces of legislation which that committee sponsored before this House. GERALDINE FERRARO is the author of pension legislation which will help guarantee the economic security of millions of older women in the decades to come.

I shall never forget the way she fought to prevent any cuts in Social Security when that matter was before this House in 1983, nor shall I forget her dedication, her determination to prevent any more payments being required of people covered by medicare or any raising of the age of eligibility, as is now proposed by the administration. No one has fought harder to preserve those programs and the principles which affect the health and well-being of the elderly than GERALDINE FERRARO.

I will always remember an important hearing I attended with GERALDINE in her district on the subject of alcoholism and the elderly. The hearing drew a large crowd and evoked keen interest among the senior citizens. The noted actor Jason Robards was the star witness and he gave a moving testimonial of his own experience as a victim of alcoholism and his struggle to overcome it.

During her 6 years in Congress, GERALDINE FERRARO's devotion to the elderly has set an example and a standard which all of us would be proud to follow. She is one of those dedicated to the cause of the elderly, faithful in pursuit of the means to make life longer and healthier and happier for those deserving people of our population.

□ 1250

I say with pride, no Member of this House or the other body is more faithful to, has served more ably the cause of, and would be more meaningful to the senior citizens of America in a position such as the Vice Presidency than our distinguished and beloved colleague, GERALDINE FERRARO.

NOMINATION OF GERALDINE FERRARO AS VICE PRESIDENT

(Mr. MARKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARKEY. Mr. Speaker, what many people, many pundits, many experts fail to recognize about politics is that each election is a special year, has a special chemistry to it that makes it different from any other election year. So many people are looking at this year and are trying to apply what happened in the 1980 election as though somehow or other it is applicable to this year. It is not.

GERALDINE FERRARO has added a special, magical quality to this political year that makes it different from anything else that has happened in the history of our country. She has the intelligence, she has the toughness, she has the savvy that we have all witnessed here on the floor of Congress.

She is like E.F. Hutton to people here in Congress on women's issues, on issues of the budget. But now, as she begins to speak across this country on the issues of arms control, of the environment, of women's issues, she will also be like E.F. Hutton. When she talks people will listen. When she talks people who have never listened before, will listen.

That is what is different about this year. That is what is magical about this year, and that is why the Democrats are going to win this year in November.

NOMINATION OF GERALDINE FERRARO AS VICE PRESIDENT

(Mr. McCURDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCURDY. Mr. Speaker, I rise to join my colleagues in congratulating GERALDINE FERRARO as the Democratic nominee for Vice President of the United States. I have had the opportunity in the 4 years that I have been in this body to office directly across the hall from Mrs. FERRARO and serve on many caucus committees together, and I can personally testify to her competence and ability.

GERALDINE FERRARO will be a superb representative of the American family and of opportunity that only this country provides. As the father of two daughters and the husband of a physi-

cian, I am particularly proud to be a Member of this body and to be an American. This is not just a great day for women. This is a great day for all Americans.

NOMINATION OF GERALDINE FERRARO FOR VICE PRESIDENT

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, the nomination of GERALDINE FERRARO for Vice President of the United States has cheered the Congress, rallied the Democratic Party, and taken America by storm. In one bold, dramatic stroke, the political landscape has been transformed, never again to be the same.

Her achievement and the savoring of it by Americans of every background and region goes far beyond the political realm.

In expressing their pride in her, the American people are expressing their pride in America itself.

It makes all of us feel good to know that all Americans may now rise as far as their best efforts and ability will lift them. It makes all of us feel good to know that the children of immigrants can rise to the highest offices of the land. Most of all, it makes all of us feel good to be alive at a time when history leaps forward, offering not only women but all Americans newfound hope for the future.

We, her colleagues in Congress, who know her best, know how hard she has worked here and of the intelligence and practical idealism she has brought to the job. We know how superbly qualified she is to be the Vice President of the United States. If America is proud today wait until you see us on Inauguration Day—when the Chief Justice administers the oath of office to President Walter Mondale and Vice President, GERALDINE FERRARO.

NOMINATION OF GERALDINE FERRARO FOR VICE PRESIDENT

(Mr. DICKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKS. Mr. Speaker, I rise to congratulate our colleague, GERALDINE FERRARO, on being selected as the Democratic nominee for the Vice President. Walter Mondale deserves great credit for an excellent and bold decision. He has opened the door to qualified women seeking the highest offices of our country, and I think he has made a very wise decision.

GERALDINE FERRARO has been an excellent Member of this House. She has done a brilliant job as chair of the Democratic Platform Committee. She has shown, time and time again, her

compassion, her care, her sensitivity to the great issues that face this country.

There can be no doubt that she is eminently qualified to be Vice President of the United States, and I think if the high responsibilities of President should fall upon her shoulders, she would be a great President as well.

I have been proud to know her and I was proud to see her family with her on national television. They represent a fine example of an American family with a rich ethnic heritage.

So I take great pride in the selection of GERALDINE FERRARO. I want my colleagues to know that I was in Port Orchard, WA, at a meeting of the local community and there was genuine excitement in the room when the announcement was made that GERALDINE FERRARO would be Mr. Mondale's running mate. The enthusiasm for our future Vice President was no less apparent across my congressional district, and I look forward to having my distinguished colleague, GERALDINE FERRARO, campaign in the State of Washington later this year.

NOMINATION OF GERALDINE FERRARO FOR VICE PRESIDENT

(Mr. LONG of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LONG of Maryland. GERALDINE, we are very proud of you and we congratulate you on your nomination for this high office. When the President first made the choice I did not know quite what to think. As I talked to various people who felt that your place on the ticket as Vice President might hurt more than it would help, I pointed out that this would depend entirely on you or as a woman of your qualities, and how well you conducted yourself in the campaign.

You have demonstrated that as a wise choice that you can put on an excellent campaign.

I want to give you the following proposition: My district has only voted for two Democrats for President in 120 years, 120 years; in the last 2 years my district has been reapportioned to take away 120,000 people who vote 65 percent Democratic. That is a district in which I have never actively tried to get the Democratic President to come in and support me because I always felt that I had to run on my own.

But this time I feel so strongly that you would be an asset to the ticket that I want to invite you to come into my district during the campaign and I will provide the forum for you to come. I hope you can make it because I am sure that you are going to be a tremendous addition to the ticket and a help to us all in the coming election.

I congratulate you and wish you the best in November and thereafter.

NOMINATION OF GERALDINE FERRARO FOR VICE PRESIDENT

(Mr. BENNETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENNETT. I want to add my feeling of deep happiness and joy at the nomination of Ms. FERRARO.

In my district when this was announced it was received with great pleasure and great approval we had once a wonderful woman who represented my congressional district years ago, Ruth Bryan Owen, the daughter of William Jennings Bryan and she made an outstanding record as Congresswoman. So my district realized from a very practical standpoint that here was a great opportunity to have another great woman come to the center of government.

I just think it is long overdue that a woman would be considered for Vice President and for President. I am so happy and I think that my district is so happy with the fact that now this is behind us and we are going forward, and we are going to use the abilities of all American citizens, whatever their gender may be.

It could not happen to a more lovely, more intelligent, more bright and more dedicated American than GERALDINE FERRARO.

NOMINATION OF GERALDINE FERRARO FOR VICE PRESIDENT

(Mr. GLICKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GLICKMAN. Mr. Speaker, one of my senior staffers, a woman, said: "It took 200 years to get to the place that a woman is on a national ticket." It occurred to me, as I watched that historical moment when my colleague, GERALDINE FERRARO, accepted her party's nomination for Vice President, it could take only 100 days for her to become the first woman ever to achieve such high office in this country.

I think of my daughter who was with me at the convention in San Francisco. I think of how I'm glad she had the opportunity to be a part of the history of that moment when GERRY accepted her nomination. I think of my son who was also with me at that time. I know that both my children—male and female—know they, too, can be a part of history. Before that night in San Francisco only my son Jon could have really had that sense of being a part of the political process. Now my daughter, Amy, can as well.

NOMINATION OPENS THE PROMISE OF HIGH OFFICE TO EVERYONE IN THE LAND

(Mr. OTTINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OTTINGER. Mr. Speaker, on July 26, 1984, we saw history being made with the selection of our colleague, Representative GERALDINE FERRARO, as the Democratic Vice Presidential candidate. It was a significant, exciting development in American politics, and will long be remembered by all citizens. I would now like to take the time to commend this exceptional woman and the invaluable contributions she has made to this Congress.

Having worked closely with her as a fellow member of the New York delegation, it is apparent that Representative FERRARO exhibits the consideration, diligence, and steadfastness that are essential to successfully representing the people. She is an effective leader tuned to the pulse of our national needs and, as such, has exhibited the capabilities that make the difference between a Vice President and a good Vice President.

Perhaps GERRY's greatest strength is that she is so natural. She can translate the meaning of the Reagan cruelties into terms the average American man and woman can understand and relate to.

The fact that Representative FERRARO is a woman is a significant contribution in itself. Females presently constitute less than 5 percent of this legislative body. Thus, as a Representative, GERALDINE FERRARO has furthered the cause of women in our Government. It is with great enthusiasm that we view her Vice Presidential candidacy. To have a woman nominated by a major party for the second highest office in our Government has opened the door not just for women, but for all Americans, regardless of sex, race, or creed. The nomination of Representative FERRARO gives life to the hope that we may better represent the diverse and multifaceted character of this country.

GERALDINE FERRARO: FULLY QUALIFIED FOR THE HIGHEST OFFICE OF OUR LAND

(Mr. LaFALCE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. LaFALCE. Mr. Speaker, as a fellow New Yorker, as a fellow Italian-American Catholic, I naturally take tremendous pride in the selection of GERALDINE FERRARO as the Vice Presidential running mate of Fritz Mondale. I know, also, that every woman in America takes special pride in her selection.

Since I have traveled in my district I have come to realize, in a way I never

could before, what a responsive chord her selection has struck, not with feminists alone, but with every female from every walk of life.

But, in my district, individuals have been asking: "Once you get beyond that background, is GERALDINE FERRARO qualified to become, if need be, President of the United States of America?"

I have responded with two basic answers: First, GERALDINE FERRARO is 10 times more qualified today than Ronald Reagan was 4 years ago today.

Second, there are a number of qualities that you should look to when judging an individual.

A famous Protestant theologian summed them up in a book entitled, "Love, Power and Justice." He says, "The great task of a Christian politician is to reconcile the competing demands of love, the use of power, and the requirements of justice."

Having known GERALDINE FERRARO for 6 years, I do not know of any person in the United States, male or female, Democrat or Republican, who can better reconcile these competing demands: love, power and justice; and that is what she will give us as Vice President of the United States, and if need be, as President of the United States. Thank you.

ON GERALDINE FERRARO: WARMTH, INTELLIGENCE, ALWAYS PREPARED

(Mr. OBERSTAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, Fritz Mondale's selection of GERALDINE FERRARO as his Vice Presidential running mate was a bold political stroke, one fraught with insight, but, to those of us who know GERALDINE FERRARO, not a surprise.

It has been my pleasure to have GERALDINE serve on the Subcommittee on Economic Development, which I chair, for the past 4 years and I want people throughout this land to know that she selected that subcommittee because of her interest in jobs, in promoting economic growth, in encouraging development of the private sector, in stimulating those areas that have lagged behind the Nation's general prosperity.

I can attest that, as a member of my subcommittee, she has done her homework, been prepared for the committee hearings, sat through long, tedious hours of hearings and markup sessions; she consistently made pertinent observations, showing keen insight into the process and offered suggestions that bore fruit in our hearings and in our markup sessions.

GERALDINE FERRARO comes prepared for this new challenge, she knows her

work, she works hard and is articulate. Those are the qualities that suggest the success of this venture into the Vice Presidential contest. Those are the qualities that will serve her well and would serve well anyone who aspires to, or who may have to assume, the Presidency.

As a fellow Minnesotan, I salute Vice President Mondale for his selection; as dean of the Minnesota delegation, I congratulate GERALDINE FERRARO.

Trust in your own abilities, trust in your experience gained through service in this House and in your competence; you will succeed, you will radiate that goodness and warmth and that intelligence which have been your hallmark in this body.

GERALDINE FERRARO: WELL QUALIFIED AS A NATIONAL LEADER

(Mr. VOLKMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VOLKMER. Mr. Speaker, Members of the House, I too wish to join in the commendation of our colleague, GERALDINE FERRARO, as the nominee for Vice President on the Democratic ticket. As I rushed back to my district from the convention in San Francisco, I found a great deal of excitement about GERALDINE's nomination.

There is no question that we in the House know that she is very well qualified for the position not only of Vice President but also as President. Her work in the House has shown this. She has not only considered the concerns of her own district and her own State, but also of other parts of the United States and during her time here has gotten to know the problems not only of the urban areas but also of the rural areas.

There is no question in my mind that my agricultural farmers back in Missouri will be better represented by GERALDINE FERRARO than the present person in the White House and in the Vice Presidency.

I wish to extend to her, as others have done, an opportunity to come to my district and visit during the campaign because I know that the people of my district will be quite impressed as I have been by her activities here in the House.

And I again wish to say congratulations to GERALDINE. I know we will be seeing her next January as Vice President of the United States.

GERALDINE FERRARO: HER NOMINATION HAS OPENED NEW VISTAS FOR MILLIONS OF WOMEN THROUGHOUT THE WORLD

(Mr. SOLARZ asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SOLARZ. As a fellow New Yorker, as a fellow member of the Budget Committee, as a fellow Fire Islander, I was pleased as punch with the nomination of GERALDINE FERRARO as Vice President on the Democratic ticket.

We have worked closely together over the course of the last 6 years. During that period of time I have come to develop enormous admiration for her capacities as a Member of Congress, and as a citizen of this country. She has made a great contribution to the work of the Budget Committee, she has been an extraordinarily effective member of the New York delegation and of the Democratic leadership of the House.

Several of my colleagues have spoken about what GERALDINE FERRARO's nomination means to the people of our country. But I would like to say that I was overseas, as fate would have it—I rarely travel but now and then I am out of the country—when news of Congresswomen FERRARO's nomination hit the press.

And I can tell you that in Indonesia, in the Philippines, in Singapore, this was front page news. And I suddenly came to realize that her nomination meant a lot not only to millions of women in our country but to hundreds of millions of women around the world, in small villages in Africa, in Latin America, in Asia who sensed in her nomination for the second highest office in our land the possibilities for human achievement that might one day be open to them as well.

And in that sense, regardless of what happens in this campaign, and I truly hope that we are talking not just about a candidate for Vice President but about the next Vice President, the mere fact of her nomination has opened up vistas of possibility for millions and millions of women throughout the world who sense in her remarkable achievement the possibilities and potentialities for comparable achievements on their part as well.

And in the final analysis our country and this world will obviously be as great as the contribution which all people, men as well as women, of all races and religions, can make.

This has been an enormous step forward, not only for women in America, but for women and for other people all over the world.

□ 1310

APPOINTMENT OF CONFEREES ON H.R. 5712, COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATION, 1985

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5712)

making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies, for the fiscal year ending September 30, 1985, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. DARDEN). Is there objection to the request of the gentleman from Iowa?

Mr. O'BRIEN. Mr. Speaker, reserving the right to object, and I do not intend to object, I merely would like to make known to the House that the minority concurs in this request.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa? The Chair hears none, and without objection, appoints the following conferees: Messrs. SMITH of Iowa, ALEXANDER, EARLY, DWYER of New Jersey, MRAZEK, CARR, WHITTEN, O'BRIEN, MILLER of Ohio, PORTER, and CONTE.

There was no objection.

COMMUNICATION FROM THE CHIEF OF POLICE OF THE U.S. CAPITOL POLICE

The SPEAKER pro tempore laid before the House the following communication from the Chief of Police of the U.S. Capitol Police:

U.S. CAPITOL POLICE,
Washington, DC, June 29, 1984.

Hon. THOMAS P. O'NEILL, Jr.,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to inform you, pursuant to the provisions of House Rule L (50), that James M. Powell, Chief, U.S. Capitol Police, has received a summons from the District Court of Maryland for Prince George's County. In the matter of the *State of Maryland vs. Spalding, Robert Leonard*, CR-014725Y4.

After consulting with counsel, I have determined that compliance with the summons is consistent with the privileges and rights of the House.

Sincerely,

JAMES M. POWELL,
Chief of Police.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken today after debate on all motions to suspend the rules and after all other legislative business of the day has been concluded.

MERCHANT MARINE ACT AMENDMENTS TO IMPROVE CERTAIN MARITIME PRO- GRAMS

Mr. JONES of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5833) to improve certain maritime programs of the Department of Transportation and the Department of Commerce, as amended.

The Clerk read as follows:

H.R. 5833

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.) is amended as follows:

(1) in section 1103(e), after the last sentence, by adding: "Notwithstanding an assumption of an obligation by the Secretary under section 1105 (a) or (b) of this Act, the validity of the guarantee of an obligation made by the Secretary under this title is unaffected and the guarantee remains in full force and effect.";

(2) in section 1104, by striking subsection (a)(3) and substituting:

"(3) financing the purchase, reconstruction, or reconditioning of vessels or fishery facilities for which obligations were guaranteed under this title that, under the provisions of section 1105:

"(A) are vessels or fishery facilities for which obligations were accelerated and paid;

"(B) were acquired by the Fund; or

"(C) were sold at foreclosure instituted by the Secretary;"

(3) in section 1104(a)(5), by adding "or" at the end;

(4) in section 1104(a)(6), by striking "facilities; or" and substituting "facilities.";

(5) in section 1104, by striking subsection (a)(7);

(6) in section 1104, by striking subsection (d)(1) and substituting:

(d)(1)(A) No commitment to guarantee, or guarantee of, an obligation shall be made by the Secretary of Transportation unless the Secretary finds that the property or project with respect to which the obligation will be executed will be economically sound. In making that determination, the Secretary shall consider—

"(i) the need in the particular segment of the maritime industry for new or additional capacity, including any impact on existing equipment for which a guarantee under this title is in effect;

"(ii) the market potential for the employment of the vessel over the life of the guarantee;

"(iii) projected revenues and expenses associated with employment of the vessel;

"(iv) any charters, contracts of affreightment, transportation agreements, or similar agreements or undertaking relevant to the employment of the vessel; and

"(v) other relevant criteria.

"(B) No commitment to guarantee, or guarantee of, an obligation shall be made by the Secretary of Commerce unless the Secretary finds, at or prior to the time such commitment is made or guarantee becomes effective, that the property or project with respect to which the obligation will be executed will be, in the Secretary's opinion, economically sound and in the case of fishing vessels, that the purpose of the financing or refinancing is consistent with the wise use of the fisheries resources and with

the development, advancement, management, conservation, and protection of the fisheries resources.";

(7) in section 1104(h), after the word "acceleration", by adding, ", assumption,";

(8) in section 1105(a), in the first sentence after the word "demand", by adding: "(unless the Secretary shall, upon such terms as may be provided in the obligation or related agreements, prior to that demand, have assumed the obligor's rights and duties under the obligation and agreements and shall have made any payments in default)";

(9) in section 1105, by striking subsection (b) and substituting:

"(b) In the event of a default under a mortgage, loan agreement, or other security agreement between the obligor and the Secretary, the Secretary may upon such terms as may be provided in the obligation or related agreement, either:

"(1) assume the obligor's rights and duties under the agreement, make any payment in default, and notify the obligee or the obligee's agent of the default and the assumption by the Secretary; or

"(2) notify the obligee or the obligee's agent of the default, and the obligee or the obligee's agent shall have the right to demand at or before the expiration of such period as may be specified in the guarantee or related agreements, but not later than sixty days from the date of such notice, payment by the Secretary of the unpaid principal amount of said obligation and of the unpaid interest thereon. Within such period as may be specified in the guarantee or related agreements, but not later than thirty days from the date of such demand, the Secretary shall promptly pay to the obligee or the obligee's agent the unpaid principal amount of said obligation and unpaid interest thereon to the date of payment.";

(10) in section 1105(c), first sentence, after the word "payment", by adding "or assumption"; and

(11) in section 1105(e), by striking the last sentence and substituting: "In the event that the Secretary shall receive through the sale of property an amount of cash in excess of the unpaid principal amount of the obligation and unpaid interest on the obligation and the expenses of collection of those amounts, the Secretary shall pay the excess to the obligor.".

Sec. 2. Section 214 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1124) is amended to read as follows:

"(a) For the purpose of any investigation which, in the opinion of the Secretary of Transportation, is necessary and proper in carrying out this Act, the Secretary may subpoena witnesses, administer oaths and affirmations, take evidence, and require the production of books, papers, or other documents that are relevant to the matter under investigation. The attendance of witnesses and the production of books, papers, or other documents may be required from any place in the United States or any territory, district, or possession thereof at any designated place of hearing. Witnesses summoned before the Secretary shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

"(b) Upon failure of any person to obey a subpoena issued by the Secretary, the Secretary may invoke the aid of any district court of the United States within the jurisdiction in which the person resides or carries on business in requiring the attendance and testimony of witnesses and the production of books, papers, or other documents. Any

such court may issue an order requiring the person to appear before the Secretary, or an employee designated by the Secretary, there to produce books, papers, or other documents, if so ordered, or to give testimony relevant to the matter under investigation. A failure to obey an order of the court may be punished by the court as a contempt thereof. Process in such a case may be served in the judicial district in which the person resides or may be found."

Sec. 3. (a) The Shipping Act, 1916 (46 App. U.S.C. 801), is amended as follows:

(1) The first section is amended—

(A) by striking the definitions "common carrier by water" and "common carrier by water in foreign commerce";

(B) in the definition "other person subject to this act", by striking "common carrier by water" in two places and substituting "common carrier by water in interstate commerce"; and

(C) in the definition "carrying on the business of forwarding", by striking "from the United States, its Territories, or possessions to foreign countries, or".

(2) The initial paragraph of section 16 is amended by striking "transportation by water" and substituting "transportation by water in interstate commerce".

(3) Section 21(b) is amended by striking the period following "subject to this Act" and substituting a comma.

(b) The Shipping Act of 1984 (46 App. U.S.C. 1701), is amended as follows:

(1) Section 5(a) is amended by striking "in section 4" and substituting "in section 4(a) or (b)".

(2) Section 11(g) is amended by striking "section 10(c) (1) or (4)" and substituting "section 10(c) (1) or (3)".

(3) The last sentence of section 15 is amended to read as follows: "Whoever fails to file a certificate required by the Commission under this subsection is liable to the United States for a civil penalty of not more than \$5,000 for each day the violation continues.".

The SPEAKER pro tempore. Is a second demanded?

Mr. SNYDER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. JONES] will be recognized for 20 minutes and the gentleman from Kentucky [Mr. SNYDER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5833, a bill that amends the Merchant Marine Act, 1936, to permit the Secretaries of Commerce and Transportation to better handle defaults under the title XI, Ship Financing Guarantee Program. Included in the amendment is a new section 3 which contains purely technical amendments to the recently enacted Shipping Act of 1984 (Public Law 98-237).

This bill, supported by the administration, would permit the Secretaries of Transportation and Commerce to assume an obligor's rights in the event of default on a federally guaranteed obligation, rather than paying, as is required under current law, the entire principal and interest within 30 days of demand by an obligee. The assumption of the debt by the United States as guarantor will relieve the financial burden on the title XI fund at a time when economic conditions have exerted severe pressure on the reserves in the ship mortgage account.

The bill also sets up more stringent criteria for the Secretary of Transportation in the issuance of guarantees, so that the problems of default, mainly due to overtonnaging, may be alleviated. In the case of guarantees for fishing vessels, the Secretary of Commerce, under the terms of this legislation, would measure the obligation by its consistency with the fisheries resources policy of the United States.

This is needed, remedial legislation which I urge my colleagues to support.

Mr. SNYDER. Mr. Speaker, I yield myself such time as I may continue.

Mr. Speaker, I rise in strong support of H.R. 5833, a bill to amend certain provisions of title XI of the 1936 Merchant Marine Act and to make technical changes, corrections to the maritime laws necessitated by Congress' enactment of the Shipping Act of 1984 earlier this year.

The title XI ship financing guarantee program of the 1936 act provides Federal guarantees to back the obligations incurred by persons who purchase or pay for the reconditioning of certain types of vessels and facilities set forth in the law. Administration of the program resides within the Maritime Administration of the Department of Transportation, and the National Oceanic and Atmospheric Administration of the Department of Commerce.

In recent years, the number of defaults on title XI-backed obligations has increased markedly, leading to a significant drain on the Federal Treasury as both Departments have been required to pay off in full the guaranteed portion of these obligations. This bill addresses that situation by allowing either Secretary to assume the obligor's periodic payments rather than being required to make an entire lump sum payout.

H.R. 5833 also addresses problems which have resulted from the increasing utilization of title XI-backed financing for speculative, tax-shelter motivated investment in commercial vessels. Nowhere, I submit, has that practice been more rampant than in the inland waterway industry, where investor groups have built barges and towboats without any realistic expectation of operating that equipment for profit. In fact, for tax purposes, prof-

its many well be the last thing that many of those people have had in mind. Backed by MarAd-approved title XI guarantees, these vessels have contributed substantially to the overtonnaging in the industry, with the predictable result that much equipment owned by bona fide operators has been laid up idle or forced to compete for cargoes at less-than-profitable rates. Those conditions, in turn, have contributed to the demise or near-demise of many legitimate operators.

This bill will help halt this practice of providing financing guarantees with minimal regard for the realistic business prospects of a vessel and the effect which its insertion into a trade might have on already established legitimate operators. Modeled closely after provisions in a proposed rule issued by MarAd in August 1983, the bill requires the Secretary of Transportation to take into account certain economic criteria in deciding whether to approve a title XI application, including the extent to which construction or reconstruction of a vessel may contribute to overtonnaging, and the real-world likelihood that the vessel will provide a positive economic return. These criteria are to form the basis of application reviews for all segments of the commercial, nonfishing fleet.

It is not intended that the new language change in any way the procedural means by which MarAd administers the title XI program. By specifying that no commitment to guarantee, or guarantee of, an obligation shall be made without first conducting an economic evaluation based upon those criteria, it is expected that only one such evaluation would be required: prior to MarAd's issuance of a letter of commitment—which is the current practice; or, in the exceptional circumstance, prior to the formal approval of the actual guarantee, where a prior letter of commitment has not been issued. This is also consistent with current title XI program procedures.

Mr. Speaker, H.R. 5833 meets some of the most pressing needs in the administration of the title XI program, and I urge the Members to adopt it.

● Mr. BIAGGI. Mr. Speaker, title XI of the Merchant Marine Act, 1936 authorizes the Secretary of Transportation and the Secretary of Commerce to guarantee obligations to aid in financing the construction or reconstruction of vessels or facilities designed principally for research, or for use in connection with the domestic or foreign commerce of the United States. The Government insures full payment to the lender of the unpaid principal and interest of the mortgage or obligation in the event the vessel or facility owner defaults.

H.R. 5833 amends the Merchant Marine Act of 1936 to allow the Secretaries of Transportation and Com-

merce to assume a title XI guaranteed loan when an obligor defaults. Current law requires the Secretary to pay off all outstanding principal and interest after a default and within 30 days of an obligee's demand. This bill will relieve the financial burden on the title XI fund and give the Secretary time to make arrangements to deal with the default.

The title XI fund has been self-supporting since its creation. However, recently, because of the serious economic downturn in the maritime and fishing industries, there has been a serious strain on the fund. This bill will ease the immediate pressure on the fund since the Secretaries will not have to tender all the outstanding debt but will merely step into the shoes of the debtor until arrangements can be made for assumption by a new obligor or sale of the property.

The bill also requires the Secretary of Transportation to determine—before a loan guarantee is approved—that the vessel for which the application is made will not contribute to an existing overtonnaging in a particular trade and that there are legitimate business prospects in store for the vessel. These stricter criteria are almost identical to requirements contained in a proposed rule issued by the Department of Transportation.

This legislation would improve the administration of the title XI program. The administration supports it. The Committee on Merchant Marine and Fisheries reported it by unanimous voice vote. I urge favorable action by the House today.●

Mr. SNYDER. I have no further requests for time, and I reserve the balance of my time.

Mr. JONES of North Carolina. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina [Mr. JONES] that the House suspend the rules and pass the bill, H.R. 5833, as amended.

The questions were taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5833, as amended, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

□ 1320

AVIATION DRUG-TRAFFICKING CONTROL ACT

Mr. MINETA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1580) to amend the Federal Aviation Act of 1958 to provide for the revocation of airman certificates and for additional penalties for the transportation by aircraft of controlled substances, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Aviation Drug-Trafficking Control Act".

SEC. 2. (a) Section 609 of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new subsection:

"TRANSPORTATION OF CONTROLLED SUBSTANCES"

"(c)(1) The Administrator shall issue an order revoking the airman certificates of any person upon conviction of such person, and exhaustion of all direct judicial review of such conviction, for violation of any State or Federal law relating to a controlled substance (other than any law relating to simple possession of a controlled substance) if the Administrator determines that (A) an aircraft was used in the commission of the offense, and (B) such person served as an airman in connection with the offense or was on board the aircraft in connection with the offense. The Administrator shall have no authority under this paragraph to review the issue of whether an airman violated any State or Federal law relating to a controlled substance. Before issuing an order revoking a certificate under this paragraph, the Administrator shall provide the holder of such certificate with notice and an opportunity for a hearing on the record. The person whose certificate is revoked by the Administrator's order may obtain judicial review of such order under the provisions of section 1006.

"(2) The Administrator shall issue an order revoking the airman certificates of any person if the Administrator determines that (A) such person has knowingly engaged in an activity which is prohibited by any State or Federal law relating to a controlled substance (other than any law relating to simple possession of a controlled substance), (B) an aircraft was used in carrying out such activity, and (C) such person served as an airman in connection with such activity or was on board the aircraft in connection with such activity. The Administrator shall have no authority to revoke a certificate under this paragraph on the basis of any activity if the holder of the certificate is acquitted of all charges contained in an indictment or information which relate to controlled substances and which arise from such activity. Before issuing an order revoking a certificate under this paragraph, the Administrator shall provide the holder of such certificate with notice and an opportunity for a hearing on the record. The person whose certificate is revoked by the Administrator's order may obtain judicial review of such order under the provisions of section 1006.

"(3) For purposes of this subsection, the term 'controlled substance' has the meaning given such term by section 102(6) of the Controlled Substances Act."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading

"Sec. 609. Amendment, suspension, and revocation of certificates."

is amended by adding at the end thereof

"(c) Transportation of controlled substances."

SEC. 3. Section 602(b) of the Federal Aviation Act of 1958 is amended by inserting "(1)" after "(b)" and by adding at the end thereof the following new paragraph:

"(2)(A) Except as provided in subparagraph (B), the Administrator shall not issue an airman certificate to any person whose airman certificate has been revoked pursuant to subsection (c) of section 609 of this title during the five-year period beginning on the date of such revocation.

"(B) The Administrator may issue an airman certificate to any such person before the end of such five-year period (but not before the end of the one-year period beginning on the date of such revocation) if, in addition to the findings required by paragraph (1), the Administrator determines (i) that revocation of the certificate for such five-year period would be excessive considering the nature of the offense or the act committed and the burden which revocation places on such person, or (ii) that revocation of the certificate for such five-year period would not be in the public interest. The determinations under clauses (i) and (ii) of the preceding sentence shall be within the discretion of the Administrator and any such determination or failure to make such a determination shall not be subject to administrative or judicial review.

"(C) In any case in which the Administrator has revoked the airman certificates of a person under section 609(c)(2) as a result of any activity and such person is subsequently acquitted of all charges contained in an indictment or information which relate to controlled substances and which arise from such activity, the Administrator shall issue an airman certificate to such person if such person is otherwise qualified to serve as an airman under this section."

SEC. 4. Section 501(e) of the Federal Aviation Act of 1958 is amended by inserting "(1)" after "(e)" and by adding at the end thereof the following new paragraph:

"(2)(A) The Administrator shall issue an order revoking the certificate of registration issued to an owner under this section for an aircraft and each other certificate of registration held by such owner under this section, if the Administrator determines that—

"(i) such aircraft has been used to transport a controlled substance, where such transportation is prohibited by any State or Federal law or is provided in connection with any act prohibited by any State or Federal law relating to controlled substances (other than any law relating to simple possession of a controlled substance); and

"(ii) the use of the aircraft was permitted by such owner with the knowledge that the aircraft was intended to be used for transportation described in clause (i) of this subparagraph.

For purposes of this paragraph, an owner of an aircraft who is not an individual shall be considered to have knowledge of an intended use of an aircraft only if a majority of the individuals who control such owner or who are involved in forming the major policy of such owner have knowledge of such intended use. Before issuing an order revoking a certificate under this paragraph,

the Administrator shall provide the holder of such certificate with notice and an opportunity for a hearing on the record. Any person whose certificate is revoked under this paragraph may obtain judicial review of such order under the provisions of section 1006. For purposes of this paragraph the term 'controlled substance' has the meaning given such term by section 102(6) of the Controlled Substances Act.

"(B) Except as provided in subparagraph (C), the Administrator shall not issue a certificate of registration to any person who has had a certificate revoked pursuant to subparagraph (A) of this paragraph during the five-year period beginning on the date of such revocation.

"(C) The Administrator may issue a certificate of registration for an aircraft to any such person before the end of such five-year period (but not before the end of the one-year period beginning on the date of such revocation) if the Administrator determines that such aircraft is otherwise eligible for registration under this section and (i) that revocation of the certificate for such five-year period would be excessive considering the nature of the offense or the act committed and the burden which revocation places on such person, or (ii) that revocation of the certificate for such five-year period would not be in the public interest. The determinations under clauses (i) and (ii) of the preceding sentence shall be within the discretion of the Administrator and any such determination or failure to make such a determination shall not be subject to administrative or judicial review."

SEC. 5. (a) Section 902 of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new subsection:

"TRANSPORTING CONTROLLED SUBSTANCES WITHOUT AIRMAN CERTIFICATE"

"(q) Any person who knowingly and willfully violates section 610(a)(2) in connection with the transportation by aircraft of any controlled substance, where (1) such transportation is prohibited by any State or Federal law or is provided in connection with any act prohibited by any State or Federal law relating to controlled substances (other than any law relating to simple possession of a controlled substance), and (2) such person has knowledge of such transportation, shall be subject to a fine not exceeding \$25,000 or to imprisonment not exceeding five years, or to both such fine and imprisonment. For purposes of this subsection, the term 'controlled substance' has the meaning given such term by section 102(6) of the Controlled Substances Act."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading

"Sec. 902. Criminal penalties."

is amended by adding at the end thereof

"(q) Transporting controlled substances without airman certificate."

SEC. 6. Section 902(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(b)) is amended—

(1) by striking out "(b) Any person who" and inserting in lieu thereof "(b)(1) Except as provided in paragraph (2), any person who";

(2) by striking out "uses or attempts to use" and inserting in lieu thereof "sells, uses, attempts to use, or possesses with the intent to use"; and

(3) by adding at the end thereof the following new paragraph:

"(2)(A) Any person who violates paragraph (1) of this subsection (other than by selling a fraudulent certificate) with the intent to commit any act prohibited by any State or Federal law relating to controlled substances (other than any law relating to simple possession of a controlled substance) shall be subject to a fine not exceeding \$25,000 or to imprisonment not exceeding five years, or both.

"(B) Any person who violates paragraph (1) of this subsection by selling a fraudulent certificate with the knowledge that the purchaser intends to use such certificate in connection with any act prohibited by any State or Federal law relating to controlled substances (other than any law relating to simple possession of a controlled substance) shall be subject to a fine not exceeding \$25,000 or to imprisonment not exceeding five years, or both.

"(C) For purposes of this paragraph, the term 'controlled substance' has the meaning given such term by section 102(6) of the Controlled Substances Act."

SEC. 7. This Act and the amendments made by this Act shall apply with respect to acts and violations occurring after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from California [Mr. MINETA] will be recognized for 20 minutes and the gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1580, a bill which can make an important contribution to our fight against illegal drugs.

The bill is designed to combat the use of aviation in drug trafficking. A large portion of the illegal drugs entering this country do so by air. Intelligence estimates presented at our hearing indicated that 77 percent of cocaine entering the country does so by air; 41 percent by private aircraft, and 35 percent by commercial aircraft. Additionally, 60 percent of heroin from Southeast Asia and 53 percent of heroin from Southwest Asia enter the United States by air, primarily by commercial aviation. Overall, it is estimated that 1.3 million pounds of illegal drugs entered the United States by private aircraft in 1983.

This legislation before us focuses on increasing the aviation-related penalties against aircraft owners and airmen who participate in drug trafficking.

We are concerned with these illegal activities for two reasons. First and most obviously, we are concerned with the social and economic problems created by illegal drugs. There are also more specific, aviation-related concerns. Drug smuggling flights create safety problems because of the hazardous maneuvers pilots undertake to avoid detection, such as operating without a flight plan and flying at ex-

tremely low altitudes. It is estimated that between 1980 and 1982 there were 491 accidents involving aircraft suspected of carrying drugs. In addition, many aircraft used in drug smuggling are stolen from innocent owners. Between 1980 and 1982 an estimated 180 aircraft were involved in drug-related thefts.

H.R. 1580 substantially increased the aviation-related penalties against airmen and aircraft owners who participate in drug trafficking. Under current law, there are relatively minimal sanctions against aviation licenses, such as a \$1,000 civil penalty or suspension of a pilot's license for a year. H.R. 1580 establishes a 5-year revocation of airman licenses and aircraft certificates of registration if there is knowing use of an aircraft in drug trafficking.

The bill also establishes criminal penalties of 5 years imprisonment and a fine of up to \$25,000 for persons without airman certificates who operate aircraft in drug trafficking and for persons who sell or use fraudulent aviation licenses or aircraft registration markings in connection with drug trafficking.

H.R. 1580 contains full protection for the rights of airmen and aircraft owners. Before sanctions can be imposed FAA must hold an evidentiary hearing, and FAA's decision is subject to judicial review.

It should be emphasized that the bill is not intended to place the primary responsibilities for enforcing the drug laws in FAA. Rather, the drug enforcement agencies, such as Customs and DEA, will continue to have that mandate. However, we do feel that we have a responsibility to ensure that FAA's existing responsibilities to certificate airmen and aircraft are capable of making an important contribution toward our national effort to reduce illegal drug trafficking and to protect innocent airmen from threats to themselves and their aircraft.

In sum, I believe that H.R. 1580 can make a substantial contribution in the war against illegal drugs. I urge passage of this important legislation.

Mr. HAMMERSCHMIDT. Mr. Speaker, I yield myself such time as I may consume, and I yield to the distinguished ranking minority member of the full Committee on Public Works and Transportation, the gentleman from Kentucky [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, H.R. 1580 is designed to complement the many State and Federal criminal laws relating to illegal drug trafficking by imposing more stringent penalties on airmen and other individuals who use airplanes in conducting these illicit activities.

I know that my colleagues are very well aware of the magnitude of the illegal drug problem in this country and I firmly believe that this bill will assist

the various Federal agencies in combating this serious problem. According to the Federal Aviation Administration, between 1980 and 1982, 65 individuals had their airman certificates suspended or revoked for drug-related offenses and nearly 300 aircraft were stolen for drug-related reasons. Moreover, illegal drug trafficking also presents serious safety hazards to the public, since those who operate aircraft while engaging in this activity resort to a variety of dangerous tactics to avoid being detected. Along these lines, it has been estimated that nearly 500 accidents occurred between 1980 and 1982 involving aircraft which were suspected of carrying illegal drugs.

The primary intent of the bill is to require, in most cases, a mandatory 5-year revocation of airman and aircraft registration certificates held by those who are convicted or otherwise determined by the Administrator to have used aircraft while violating State or Federal drug laws.

Under existing law, an individual who has committed a drug-related offense is only subject to a 1-year period of revocation before he is eligible to reapply for another certificate. Before revocation of a certificate can occur, however, the Administrator must provide the accused airman with an opportunity for a hearing—unless an emergency exists and safety in air commerce requires the revocation to be effective immediately. In such case, a hearing must be held within 60 days, the same time period which applies to all other emergency certificate actions sought by the Administrator.

Another important feature of the bill would preclude the Administrator from revoking an airman's certificate if the individual has been acquitted of all pending criminal charges. Moreover, if the certificate has been revoked prior to such an acquittal, the Administrator is required to reissue the certificate.

In addition to these provisions, the bill also increases the existing criminal penalties against those who knowingly make, use or sell fraudulent FAA certificates with the intention of violating the drug laws by imposing prison terms of up to 5 years and fines of up to \$25,000. Similar penalties are also provided for those who act as airmen while transporting controlled substances without a valid airman's certificate.

Mr. Speaker, I firmly believe that this legislation will not only assist in this country's fight against illegal drug trafficking, but will hopefully convince airmen that they not only risk substantial fines and jail terms, but their flying careers as well if they are apprehended while engaging in this activity.

For the foregoing reasons, I urge my colleagues to support H.R. 1580.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of H.R. 1580, the Aviation Drug-Trafficking Control Act, and urge my colleagues to support this important piece of legislation.

We are all aware of the serious problems caused by the flow of illegal drugs into this country. What should also be of concern is the extent to which private and commercial aircraft are involved in this illegal trafficking.

At our subcommittee hearings, it was revealed that 77 percent of the cocaine entering this country does so by air; 41 percent by private aircraft, and 35 percent by commercial aircraft, and that more than half of the heroin from Asia enters the United States by air, primarily by commercial aircraft.

Action is needed to stem the flow and this bill addresses that need by strengthening the existing authority of the Federal Government to deal with aviation-related aspects of drug smuggling.

Under the provisions of H.R. 1580—Revocation of one's airman certificate would be mandatory if the person was convicted of or knowingly engaged in a drug-related offense and was either acting as an airman or on board the aircraft in connection with the violation. The revocation could be for as long as 5 years.

A person who knowingly and willfully operated without an airman's certificate in connection with violations of drug trafficking laws would be subject to a \$25,000 fine and imprisonment for up to 5 years.

An aircraft owner who knowingly permitted an aircraft to be used for illegal drug transactions would have his certificate of registration revoked for at least 1 and possibly as long as 5 years. This revocation would apply to all the aircraft owned by this person.

The sale of fraudulent certificates and the possession of such certificates with the intent to use them would itself be a criminal violation, and if the violation occurred in connection with illegal drug trafficking, the penalty would be a fine of up to \$25,000 and imprisonment for up to 5 years.

Use of fraudulent certificates or fraudulent registration markings on aircraft in connection with an illegal drug transaction would make the perpetrator subject to a fine of up to \$25,000 and imprisonment for up to 5 years.

Naturally, all of these penalties would be in addition to those that drug smugglers would be subject to under existing criminal law. I would also like to point out that these tougher Administrative sanctions would be imposed without violating the airman's procedural rights.

This bill provides that an airman must receive an evidentiary hearing before revocation of his certificate can occur. This applies in all but emergency circumstances, in which case a

hearing must be held within 60 days after the revocation.

Mr. Speaker, it is apparent that the existing aviation penalties for drug smuggling are not sufficient. For example, persons involved in illegal drug trafficking are now subject to loss of their license for only 1 year. Suspension or revocation of an airman certificate is not mandatory, but is at the discretion of the FAA. If they should continue to operate after their license is suspended, they would still be subject only to a \$1,000 fine.

Existing law is also deficient with respect to those who knowingly permit their aircraft to be used for illegal drug operations. Currently, there are no specific provisions authorizing revocation of an aircraft registration certificate in such situations.

In addition, there are no provisions in current law making the selling of fraudulent certificates, or the possession of such certificates with the intent to use them, an offense. And one who does actually use a fraudulent certificate is subject to a fine of only \$1,000 and imprisonment of up to 3 years.

Accordingly, H.R. 1580 would address all of these shortcomings in current law by increasing penalties against owners of aircraft and airmen involved in drug trafficking.

Mr. Speaker, I would also like to emphasize that during hearings on this legislation, H.R. 1580 received widespread support from the Drug Enforcement Administration [DEA], the Federal Aviation Administration [FAA], and the U.S. Customs Service. Many others have also called for the sort of tough measures that this bill would adopt.

I think all of my colleagues would agree that H.R. 1580 will act as a credible deterrent to those who are illegally enriching themselves with minimal risk to either their airman certificate or their certificate of registration. It will send a clear message to narcotic source countries that the United States is serious about controlling illegal drug trafficking into this country.

Therefore, I urge my colleagues to support this legislation.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. MINETA. Mr. Speaker, I yield such time as he may consume to my very fine colleague, the gentleman from Florida [Mr. NELSON].

Mr. NELSON of Florida. I thank the chairman for yielding, and I want to say that I support him and I support this legislation.

The urgency of the nationwide drug problem compels this body to take substantive action to deter the influx of drugs to this country.

This legislation, increasing aviation penalties against pilots who participate in illegal drug trafficking, will

serve as an important reminder that drug smuggling will not be tolerated.

According to a congressional committee investigating the problem, half of the cocaine smuggled into the country is transported by private aircraft. The current aviation laws contain no specific provisions to deal with those who operate aircraft for illegal drug transactions. We must put private aircraft owners and pilots on notice that penalties will be imposed on those who knowingly permit their aircraft to be used for drug transactions, or who create fraudulent licenses to operate aircraft for the use of illegal drug transport.

I appreciate the significance of this bill in curbing the flow of illegal drugs to my own State of Florida and to our Nation. I urge my colleagues to support this measure.

● Mr. RANGEL. Mr. Speaker, as chairman of the Select Committee on Narcotics Abuse and Control I rise in support of H.R. 1580. I salute Chairman MINETA for the fine work he has done on this legislation and I am pleased to note I am joined by nine other members of the select committee in cosponsoring this bill. The importance of the passage of the Aviation Drug Trafficking Control Act, H.R. 1580, cannot be understated. As I stated before the Aviation Subcommittee, Committee on Public Works and Transportation, last year, this bill, if enacted, would greatly enhance our ability to curtail narcotics smuggling by building upon the existing regulatory jurisdiction of the Federal Aviation Administration [FAA] for dealing with drug-related aviation violations. This would be accomplished without creating new jurisdictions for the FAA to enforce. Moreover, the Congressional Budget Office has asserted that enactment of this legislation would create no significant additional costs. This bill recognizes the existing problems that are created by overlapping criminal jurisdictions, especially with regard to drug enforcement, and essentially allows the FAA to assist the Drug Enforcement Administration and the Customs Service by denying the privilege of flying and operating aircraft to those engaged in narcotics trafficking.

Statistics gathered over a number of years demonstrate the severity of the aviation drug trafficking problem. The Customs Service estimates that 41 percent of all cocaine, a drug whose use is experiencing an alarming growth, comes across our borders by private aircraft. At present this 41 percent alone represents \$13 billion in street value. Additionally, in 1983, approximately 1.3 million pounds of illegal drugs entered the United States by private aircraft. Further, the incidence of this method of smuggling, once limited to the gulf and southern borders,

is appearing in rapid frequency at all of our border crossings.

The need for new legislation such as the bill before us today becomes apparent upon examination of the present sanctions available to the FAA under Federal law. The huge profits garnered by drug trade must be met with more than a slap on the wrist if we are to provide a sufficient disincentive to would-be air smugglers. Current law includes no specific provisions dealing with airmen who operate aircraft in connection with illegal drug transactions. An airman who presently operates a civil aircraft with the knowledge that narcotics and illegal drugs are being carried in the aircraft usually becomes ineligible for any certificate or rating issued by the FAA for a period of only 1 year. This bill provides that if convicted of a drug-related aviation offense the revocation period may be as long as 5 years, depending on the Administrator's assessment of excessive burden or national interest, and not less than 1 year. Similarly, a certificate may be revoked for up to 5 years if the Administrator determines that the aviator served as an airman in violation of the narcotic laws whether or not there is a conviction. To protect the airman's procedural rights, before license revocation the airman must receive an evidentiary hearing, and standard judicial review procedures are also made available.

To help ensure that those whose license has been revoked stay on the ground—the bill creates a new violation. Any person who knowingly acts as an airman without a certificate in connection with a violation of Federal or State-controlled substance laws will be subject to a 5-year prison sentence and a \$25,000 fine. Present law only provides a penalty of \$1,000 for operating an aircraft without an airman's certificate.

H.R. 1580 also extends the period of time an aircraft's registration can be revoked, up to 5 years, if its owners permit it to transport controlled substances illegally. This aspect of the bill has far reaching positive effects. Drug trafficking flights create safety problems because of the hazardous maneuvers smuggler-pilots must undertake to avoid detection; 491 accidents have been attributed to unsafe flying by air drug smugglers alone between 1981 and 1982. Passage of H.R. 1580 will go far in addressing this growing problem.

Mr. Speaker, both the strict enforcement of our laws and introduction of additional sanctions for drug trafficking offenses sends a clear signal to those countries who export illegal drugs to the United States that we are indeed serious about drug trafficking and dedicated to the elimination of drug abuse. Such a message must constantly be reinforced if we are to be

successful in obtaining the cooperation of narcotics source and smuggling nations in conquering drug trafficking.

H.R. 1580 is a mechanism to deter illegal drug smuggling and make the skies safer for legitimate aviation. This is achieved with virtually no new costs and guarantees due process protection to those whose flying certificates are placed in jeopardy. It is for these reasons that I urge quick passage of this bill.●

● Mr. BENNETT. Mr. Speaker, I rise today to support H.R. 1580, which I co-sponsor, and which would crack down on aviation drug trafficking. I introduced similar legislation for the past 2 years when the Federal Aviation Administration indicated it did not have the statutory authority to effectively put a stop to pilots and aircraft owners who were using airplanes to smuggle drugs across our borders.

According to the Drug Enforcement Agency estimates, 50 percent of the cocaine, 35 percent of the marijuana, 75 percent of Southwest Asian heroin and 80 percent of the dangerous drugs entering the United States in 1981 are smuggled by air. The Customs Service estimates that 1.3 million pounds of drugs will enter the country by private aircraft this year. Despite the seriousness of this problem, the FAA under current law has only been able to revoke for 1 year the certificate of an airman who is convicted of a drug violation involving use of an aircraft. In addition, an airman who flies without a license is subject only to a \$1,000 civil penalty. This is certainly not a significant deterrent to those willing to violate our drug laws. It is clear that more stringent penalties are needed to combat this threat.

This legislation substantially increased the penalties for airmen who participate in drug trafficking by requiring the revocation of an airman's certificate for 5 years if the holder is convicted of violating any law relating to controlled substances—other than a law relating to simple possession—and the FAA Administrator determines that the certificate holder knowingly served as an airman in connection with the violation. The legislation would also increase the fine for airmen flying without a license in drug violations to \$25,000 or imprisonment of up to 5 years, or both.

Many important efforts are being made by Congress to halt the difficult problems associated with illicit drugs. I am convinced that the provisions contained in this legislation are excellent weapons for continuing the battle against bigtime drug smugglers. We must do everything we can to stop this poisonous injection of illicit drugs into our country and I urge the House to adopt this needed legislation.●

● Mr. HOWARD. Mr. Speaker, I rise in support of H.R. 1580, the Aviation Drug Trafficking Control Act. This

legislation will be an important weapon in our Government's effort to slow the smuggling of illegal drugs into this country.

This bill imposes increased penalties on pilots and aircraft owners who engage in drug smuggling. These penalties will be beyond those already imposed by State and Federal drug laws. The Federal agencies responsible for enforcing the Nation's drug laws testified before the committee that aircraft and pilots play a very significant role in illegal drug smuggling. With these changes in Federal aviation laws, we will strike at that crucial link in the drug smuggling chain.

This bill, by imposing aviation penalties for drug smuggling, will substantially curtail the ability of pilots and aircraft owners convicted of drug smuggling to participate in any aviation activity, legitimate or illegitimate. There is no doubt that the penalties of certificate and registration revocation will discourage many people from getting into the business of smuggling drugs. With these new penalties it will also be more difficult for smugglers to obtain aircraft under legitimate auspices for illegal activity. In short, we will be upsetting a major component of the drug smuggling infrastructure, thereby making it more difficult for the smuggler to operate.

Mr. Speaker, the legislation we bring to the floor today is necessary legislation that enjoys wide support among law and drug enforcement officials. I urge my colleagues to adopt this measure.●

● Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 1580, the Aviation Drug Trafficking Control Act, and urge my colleagues to join me in supporting enactment of this important legislation.

The use of aircraft to smuggle illicit narcotics into this country is reaching epidemic proportions. Recent estimates by the U.S. Customs Service reveal that as much as 41 percent of all cocaine smuggled into the United States comes in through private aircraft. In all 1.3 million pounds of illegal drugs entered the U.S. by private aircraft. The incidence of this type of smuggling is showing dramatic increases at all border crossings.

While the Federal Aviation Administration currently has regulatory authority to deal with drug-related aviation violations, the magnitude of the current problem clearly indicates that increased authority is essential if we are to bring the problem under control. Any increased authority given to the FAA would also provide much needed assistance to the Drug Enforcement Administration (DEA), the Coast Guard, and the Customs Service in these tasks of restricting the inflow of illicit narcotics to our shores.

I am firmly convinced that those who knowingly own and operate aircraft to smuggle drugs to our shores should be more severely dealt with than they are under current law. At the present time the FAA has the authority to revoke a certificate of aircraft registration if the Administrator finds a "cause which renders the aircraft ineligible for registration." H.R. 1580 provides that a certificate of registration must be revoked if the Administrator determines that the owner has knowingly permitted the aircraft to be used to transport a controlled substance. More importantly H.R. 1580 would also require revocation of an airman's certificate if the holder is convicted for violation of any State or Federal law relating to the Controlled Substance Act and the FAA Administrator determines either that the certificate holder knowingly served as an airman or was on board the aircraft in connection with the violation. The period for revocation may be as long as 5 years, and not less than 1 year. In addition, the certificate may be revoked for up to 5 years if the Administrator determines that narcotic laws were violated regardless of whether or not there is a conviction.

Finally, the bill ensures that those who have their licenses revoked stay on the ground by requiring that any pilot who knowingly transports drugs by air without a certificate in violation of Federal or State controlled substances laws can be subject to a 5-year prison sentence and a \$25,000 fine.

Mr. Speaker, we can no longer allow the growing problem to go uncorrected, and the Public Works and Transportation Subcommittee on Aviation, under the leadership of Chairman NORMAN MINETA, are to be congratulated for their efforts. Drug trafficking and abuse in this Nation is at epidemic proportions. It is the responsibility of Congress to take effective steps to halt the flood of drugs to our shores and protect the health and well-being of our citizens and our youth. The legislation before us is indicative that this Congress is not going to stand by and watch the scourge of drug trafficking and abuse run wild. It demonstrates our determination to toughen existing laws, punishing those who seek to reap the profits of illicit drugs, while at the same time making the skies safer for legitimate aviation. Accordingly, I urge my colleagues to support passage of this important measure.●

Mr. MINETA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MINETA] that the House suspend the rules and pass the bill, H.R. 1580, as amended.

The question was taken.

Mr. HAMMERSCHMIDT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1330

COUNTERFEIT ACCESS DEVICE AND COMPUTER FRAUD AND ABUSE ACT OF 1984

Mr. HUGHES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5616) to amend chapter 47 of title 18 of the United States Code to provide penalties for fraud and related activities in connection with access devices and computers, and for other purposes; as amended.

The Clerk read as follows:

H.R. 5616

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Counterfeit Access Device and Computer Fraud and Abuse Act of 1984".

Sec. 2. (a) Chapter 47 of title 18 of the United States Code is amended by adding at the end thereof the following:

"§ 1029. Fraud and related activity in connection with access devices

"(a) Whoever—

"(1) knowingly and with intent to defraud produces, uses, or traffics in one or more counterfeit access devices;

"(2) knowingly and with intent to defraud traffics in or uses one or more unauthorized access devices during any one-year period, and by such conduct obtains anything of value aggregating \$1,000 or more during that period;

"(3) knowingly and with intent to defraud possesses fifteen or more devices which are counterfeit or unauthorized access devices; or

"(4) knowingly, and with intent to defraud, produces, traffics in, has control or custody of, or possesses device-making equipment;

shall, if the offense affects interstate or foreign commerce, be punished as provided in subsection (c) of this section.

"(b)(1) Whoever attempts to commit an offense under subsection (a) of this section shall be punished as provided in subsection (c) of this section.

"(2) Whoever is a party to a conspiracy of two or more persons to commit an offense under subsection (a) of this section, if any of the parties engages in any conduct in furtherance of such offense, shall be fined an amount not greater than the amount provided as the maximum fine for such offense under subsection (c) of this section or imprisoned not longer than one-half the period provided as the maximum imprisonment for such offense under subsection (c) of this section, or both.

"(c) The punishment for an offense under subsection (a) or (b)(1) of this section is—

"(1) a fine of not more than the greater of \$10,000 or twice the value obtained by the offense or imprisonment for not more than ten years, or both, in the case of an offense under subsection (a)(2) or (a)(3) of this sec-

tion which does not occur after a conviction for another offense under either such subsection, or an attempt to commit an offense punishable under this paragraph;

"(2) a fine of not more than the greater of \$50,000 or twice the value obtained by the offense or imprisonment for not more than fifteen years, or both, in the case of an offense under subsection (a)(1) or (a)(4) of this section which does not occur after a conviction for another offense under either such subsection, or an attempt to commit an offense punishable under this paragraph; and

"(3) a fine of not more than the greater of \$100,000 or twice the value obtained by the offense or imprisonment for not more than twenty years, or both, in the case of an offense under subsection (a) of this section which occurs after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this paragraph.

"(d) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. Such authority of the United States Secret Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.

"(e) As used in this section—

"(1) the term 'access device' means any card, plate, code, account number, or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value, or that can be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument);

"(2) the term 'counterfeit access device' means any access device that is counterfeit, fictitious, altered, or forged, or an identifiable component of an access device or a counterfeit access device;

"(3) the term 'unauthorized access device' means any access device that is lost, stolen, expired, revoked, canceled, or obtained with intent to defraud;

"(4) the term 'produce' includes design, alter, authenticate, duplicate, or assemble;

"(5) the term 'traffic' means transfer, or otherwise dispose of, to another, or obtain control of with intent to transfer or dispose of; and

"(6) the term 'device-making equipment' means any equipment, mechanism, or impression designed or primarily used for making an access device or a counterfeit access device.

"§ 1030. Fraud and related activity in connection with computers

"(a) Whoever—

"(1) having devised a scheme or artifice to defraud, knowingly and intent to execute such scheme or artifice, accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend, and by means of one or more instances of such conduct obtains anything of value (other than the use of the computer) aggregating \$5,000 or more during any one year period and affects interests or foreign commerce;

"(2) knowingly accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend,

and by means of such conduct obtains information that has been determined by the United States Government pursuant to an Executive order or statute to require protection against unauthorized disclosure for reasons of national defense or foreign relations, or any restricted data, as defined in paragraph r. of section 11 of the Atomic Energy Act of 1954, with the intent or reason to believe that such information so obtained is to be used to the injury of the United States, or to the advantage of any foreign nation;

"(3) knowingly accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend, and thereby obtains information contained in a financial record of a financial institution, as such terms are defined in the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401 et seq.), or contained in a file of a consumer reporting agency on a consumer, as such terms are defined in the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.);

"(4) knowingly accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend, and by means of one or more instances of such conduct obtains anything, or causes a loss, of a value aggregating \$5,000 or more during any one year period and affects interstate or foreign commerce; or

"(5) knowingly accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend, and by means of such conduct knowingly uses, modifies, destroys, or discloses information in, or prevents authorized use of, such computer, if such computer is operated for or on behalf of the Government of the United States and such affects such operations;

shall be punished as provided in subsection (c) of this section. It is not an offense under paragraph (4) or (5) of this subsection in the case of a person having accessed a computer with authorization and using the opportunity such access provides for purposes to which such access does not extend, if the using of such opportunity consists only of the use of the computer.

"(b)(1) Whoever attempts to commit an offense under subsection (a) of this section shall be punished as provided in subsection (c) of this section.

"(2) Whoever is a party to a conspiracy of two or more persons to commit an offense under subsection (a) of this section, if any of the parties engages in any conduct in furtherance of such offense, shall be fined an amount not greater than the amount provided as the maximum fine for such offense under subsection (c) of this section or imprisoned not longer than one-half of the period provided as the maximum imprisonment for such offense under subsection (c) of this section, or both.

"(c) The punishment for an offense under subsection (a) or (b)(1) of this section is—

"(1)(A) a fine of not more than the greater of \$10,000 or twice the value obtained by the offense or imprisonment for not more than ten years, or both, in the case of an offense under subsection (a)(1) or (a)(2) of this section which does not occur after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph; and

"(B) a fine of not more than the greater of \$100,000 or twice the value obtained by the offense or imprisonment for not more than twenty years, or both, in the case of an offense under subsection (a)(1) or (a)(2) of this section which occurs after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph; and

"(2)(A) a fine of not more than the greater of \$5,000 or twice the value obtained or loss created by the offense of imprisonment for not more than one year, or both, in the case of an offense under subsection (a)(3), (a)(4), or (a)(5) of this section which does not occur after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph; and

"(B) a fine of not more than the greater of \$10,000 or twice the value obtained or loss created by the offense or imprisonment for not more than ten years, or both, in the case of an offense under subsection (a)(3), (a)(4), or (a)(5) of this section which occurs after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph.

"(d) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. Such authority of the United States Secret Service shall be exercised in accordance with an agreement which shall be entered into the Secretary of the Treasury and the Attorney General.

"(e) As used in this section, the term 'computer' means an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device, but such term does not include an automated typewriter or typesetter, a portable hand held calculator, or other similar device."

(b) The table of sections at the beginning of chapter 47 of title 18 of the United States Code is amended by adding at the end the following new items:

"1029. Fraud and related activity in connection with access devices.

"1930. Fraud and related activity in connection with computers."

SEC. 3. The Attorney General shall report to the Congress annually, during the first three years following the date of the enactment of this Act, concerning prosecutions under the sections of title 18 of the United States Code added by this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAWYER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. HUGHES] will be recognized for 20 minutes and the gentleman from Michigan [Mr. SAWYER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on September 29 and November 10, 1983, and March 28, 1984, the Subcommittee on Crime held hearings on the general issues of credit card and computer fraud and abuse. Generally these hearings documented that our society is increasingly becoming dependent on numerous credit cards and other plastic devices, all of which eventually involve use of computers and other electronic devices which also are subject to criminal attack. For example, there are indications of a growing problem in counterfeit credit cards and unauthorized use of account numbers of access codes to banking system accounts called debit instruments. Financial institutions claim that they lost \$128 million from bank card fraud in 1982—an increase of 35 percent over 1981 losses. They further estimate that \$40 million of this figure was just from counterfeit credit cards which was a 500-percent increase since 1980. There are also indications that thieves are becoming increasingly sophisticated and in fact are stealing account numbers and using them without even getting physical control of the cards themselves.

As the credit industry and other parts of our society enlarges its capacity in the use of computer technology, for example, in the use of "smart cards" which contain microchips and are themselves a form of "passive" computer, there is every indication that the criminal element is enlarging its capacity in this area also.

One aspect of this new criminal conduct which has received much media attention lately has been the activities of some so-called "hackers" who have been able to access both private and public computer systems without authorization, sometimes with potentially serious results. The relative ease of access by the hacker is due to a corresponding proliferation of computer networking which began during the 1970's. This phenomenon which is predominantly interstate in nature was described in our hearings and brings a new dimension to computer crime. Since the computer industry is itself expanding to the point where it is projected that some 80 million home computers will be in existence by 1990 as compared with 5,000 in 1978, it seems clear that the Congress must not only bring our laws up to date in the credit area, but also give serious consideration to deterring the criminal element from abusing computer technology in future frauds. H.R. 5616 is an attempt to stem the tide of illegal activity in these distinct but interrelated areas.

WHAT H.R. 5616 DOES

In the credit card area H.R. 5616 prohibits use, production and trafficking in counterfeit access devices and device-making equipment with a substantial punishment of up to 15 years

in prison and fines up to twice the value obtained.

It also prohibits use and trafficking in unauthorized access devices which are valid cards that have been lost, stolen, and so forth, if the defendant obtains \$1,000 in value in a year or possesses 15 or more unauthorized or counterfeit access devices. These offenses can be punished with up to 10 years in prison and fines of up to twice the value obtained. Repeat offenses in any of these violations call for a substantial increase in maximum prison sentences—20 years—and substantial fines.

In the computer area the bill establishes a specific Federal felony for unauthorized access to computers if the defendant aggregates \$5,000 in illegal gains in 1 year—other than from just the use—or the defendant accesses information requiring protection against unauthorized disclosure for reasons of national defense or foreign relations. These offenses can be punished with up to 10 years in prison and fines up to twice the value obtained. Repeat offenses of either of these violations call for a substantial increase in maximum prison sentences, 20 years, and substantial fines.

The bill also creates three misdemeanor crimes of computer abuse. The first involves unauthorized access to information in a computer protected by the Right to Financial Privacy Act or the Fair Credit Reporting Act; the second proscribes the unauthorized access to a computer if there is a gain to the defendant or loss to others that aggregate \$5,000 or more in value during a 1-year period and such activity affects interstate or foreign commerce; and third, if the defendant uses, modifies, or discloses information in or prevents authorized use of a computer owned or operated for the U.S. Government regardless of loss or gain. These misdemeanor offenses can be punished with up to 1 year in prison and fines of \$5,000 or up to twice the value obtained or loss created by the offense. Repeat offenses of any of these violations call for a substantial increase in maximum prison sentences, 10 years, and substantial fines.

There is hardly a week that goes by when some new incidence of computer fraud is not revealed. Last week it involved access to NASA's Marshall Space Flight Center. Just prior to that there were reports of massive intrusion into TRW's credit histories.

Mr. Speaker, the Judiciary Committee has worked with experts in the credit and computer crime areas, and we believe this legislation combined with active efforts of industry to safeguard property will address the emergence of this new type of criminal in our society.

Protection both through law and technology can and must be developed to protect against these new forms of

credit card and computer fraud. I believe H.R. 5616 is a responsible approach to Federal legislation in these areas.

Mr. Speaker, the Subcommittee on Crime has had immeasurable help over the last several months that we have been working on credit card fraud and computer crime legislation, and at the top of the list would have to be the ranking minority member, the ranking Republican on the Subcommittee on Crime, HAL SAWYER. The gentleman has been very actively involved in this area of legislation as well as others affecting the criminal justice system, and I want to thank him for his great work in crafting H.R. 5616.

I also want to mention a colleague of mine from Florida, BILL NELSON, who worked on computer crime legislation when he was a member of the Florida State legislature. It was BILL NELSON's work that helped craft one of the strongest computer crime bills passed in the Nation. We thank him for his great work.

Mr. Speaker, I reserve the balance of my time.

Mr. SAWYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join Mr. HUGHES, the gentleman from New Jersey, in support of H.R. 5616 today. As consumers have grown to rely on the credit card system and credit cards, so too has grown the creativity of the criminal mind with a profit motive. The sharp criminal no longer needs to hold up a bank or snatch a purse; all he has to do is recite a set of phony credit card numbers on the telephone.

Even more alarming, a simple survey of existing law reveals that many of these activities are not in violation of any Federal law. For example, an individual criminal can counterfeit 50 credit cards at a time and not commit a Federal crime. Consumers pay for this; credit card users bear the cost. The result is the same as if cash were stolen, and I believe the same punishment should also exist.

Credit purchases are a reality upon which our society is dependent, and the cost of credit cards should not include the profits of the credit card con artists. Credit card fraud is no less than stealing and is an inexcusable, profit-motivated, modern-day scam. Flim-flammers at the front of these schemes are sophisticated bankers and they deserve a swift and efficient punishment which will both deter these activities and take the profit out of the crime. This bill addresses these aims and I believe accomplishes them.

□ 1340

This bill also addresses the serious problem of computer crime. As our society grows increasingly dependent upon the computer, it also becomes

vulnerable to the equally innovative growth of the computer crime, and even the so-called hackers who are not in for the profit motive but in it just for the devil of it, one might say.

While this may sound amusing, just a recent occasion that came to our attention during the hearings, the Drake University of Iowa had its computer system entered by a group of hackers using telephones. They plowed through the computer at great length. It contained reams and reams of research material being done at the university for many serious objective purposes, as well, of course, as the grade records and everything else of all of its student body. As a result of this, it had to be gone through item by item and rechecked to confirm that various things had not been changed which could have caused great damage had they been put to use in a changed form. This cost the university millions of dollars to do.

So while it may look like a youthful prank, it certainly far exceeds any youthful vandalism we have been used to in the past.

I submit that this invasion of private records via computers is no less an invasion than the invasion of a household or the going through of our own bank statements by some unauthorized person. While we have provided stiff penalties for actual use for theft or going into classified material, because there is much of that on Government computers, we have also provided for dealing with these so-called hackers when they engage in this kind of conduct.

For these reasons, I support H.R. 5616, Mr. Speaker, and I would also like to commend the gentleman from New York, HAMILTON FISH, JR., who has been at the forefront of the credit card fraud problem. His work in this area has been extremely helpful to the committee and is the impetus for much of the bill before us today.

I would also like to compliment Hayden Gregory and Ed O'Connell of the majority legal staff of the committee for their work, and Charlene Vannier, my own minority counsel on the committee, who basically are the people who technically crafted and put this bill together and researched its background. I commend them, and I know the chairman feels the same way about it.

Mr. GEKAS. Mr. Speaker, will the gentleman yield?

Mr. SAWYER. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. I thank the gentleman for yielding.

Mr. Speaker, I, too, want to commend the minority ranking member and the chairman of the subcommittee for a job well done.

It struck me that an important facet of what you have been able to produce

here is that in monkeying around with computers, as some people are wont to do, that it can become a national security problem as well as a problem in the commercial world. So what has been done here is to take a solid step forward in solidifying our capabilities of fighting those who would intrude with that part of the computer world that deals specifically and directly with the national security.

So it is a twofold weapon that has been crafted here and I commend the subcommittee for producing the bill.

Mr. SAWYER. I thank the gentleman.

Mr. Speaker, I reserve the balance of my time.

Mr. HUGHES. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. NELSON].

Mr. NELSON of Florida. I thank the gentleman for yielding this time to me.

Mr. Speaker, there is new kind of criminal that is lurking in the shadows of criminal activity. He is a highly sophisticated criminal. He is a high-technology criminal, and he is one who, when faced by the Nation's prosecutors, often find they do not have the adequate tools to prosecute. The Federal law books need a criminal law that will allow our U.S. attorneys to specifically go after this new type of criminal activity, computer crime.

As computers become ubiquitous in our society, we will hear more and more about this type of crime.

Mr. Speaker, it gives me great pleasure to rise today in support of H.R. 5616, the Counterfeit Access Device and Computer Fraud and Abuse Act.

As the original sponsor of computer crime legislation in this body, I have worked for the past 5 years to bring this important issue to the Nation's attention, and today H.R. 5616 includes some of the provisions of the Federal Computer Systems Protection Act, H.R. 1092, which I sponsored. I congratulate Chairman HUGHES for his extraordinary efforts in this regard, and his ranking member, Mr. SAWYER.

It has been a privilege to work closely with Chairman HUGHES and his staff to develop this legislation which affords warranted protection of our Nation's computer systems.

H.R. 5616 combines significant penalties for computer crime and credit card abuse, new kinds of crimes that have come with the country's technological transformation. We must put on notice those who would be tempted to use these high-tech instruments for fraudulent purposes or to steal valuable economic or national security information.

I believe a Federal law advancing the principle that violating the integrity of computer systems essential to the Federal Government and to the national economy is wrong, and that persons doing so will be prosecuted, will

serve as a tremendous deterrent to this type of activity.

Daily newspaper headlines chronicle the rising numbers of computer crime. Just recently, the computers at NASA's Marshall Space Flight Center were illegally tapped—destroying valuable computer records.

The TRW computer break-in about 3 weeks ago involved hackers' access to one of the largest confidential data files in the world holding credit histories of 90 million people.

Not too long ago we had the case of a former Federal Reserve Board employee who, upon leaving the employ of the Reserve, employed by a brokerage house in New York, stole a password and tapped into confidential computer files containing sensitive information on the Nation's money supply.

The 414's, a group of teenage hackers in Milwaukee, made incursions into more than 50 business and institutional computers. Among them was the Los Alamos nuclear weapons laboratory.

And last year in my own State of Florida, a health insurance claims agent generated more than \$240,000 in fraudulent claims to herself and family members. That case was successfully prosecuted under the comprehensive computer crime law that I sponsored as a State legislator in 1978.

Since we passed the Florida law, over 20 other States have followed suit in adding varying degrees of computer crime laws to the State criminal codes.

But, the fact remains that we must enact legislation to defend our Federal Government computers from unauthorized entry and abuse. We must protect the developing banking by electronic funds transfer system and preserve the integrity of the Federal Reserve System. And we must safeguard business computers in a world where a terminal may be on every desk in every home.

Computer crime is sophisticated bank robbery, trespass, and burglary. It is serious and the losses caused by it are already reaching into the pocketbooks of the country's consumers. Familiarity with computers is becoming common experience of tens of millions of working Americans. But where people work daily with a powerful tool such as a computer, there will be those who overstep the boundaries between legitimate and criminal uses of these high-technology devices.

It is my hope that we will pass this bill today to stand the test of time even in an industry that is advancing and changing everyday.

I urge your support of H.R. 5616.

□ 1350

Mr. SAWYER. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], a member of the committee.

Mr. Speaker, let me say first that I want to welcome the gentleman back to the House. As we all know, JIM had a very narrow escape from a very serious house fire and sustained some considerable injuries. This is his first day back, and I am just delighted to see him here.

Mr. SENSENBRENNER. Mr. Speaker, I deeply appreciate the remarks of the gentleman from Michigan [Mr. SAWYER]. As the gentleman knows, I had to jump out of a second-story window of my burning house in order to save my life. There are some who have suggested that I jump out a window quite often, but that is not something I would recommend to anyone.

Mr. Speaker, the information age is upon us. This country is entering a new lifestyle that incorporates great benefits from technology. As we develop reliance upon this new technology, we must also face the inevitable misuse of our advances by the criminal mind.

The computer crime criminal and the credit card counterfeiter are highly sophisticated and intelligent white-collar criminals. They pose a great threat to all people of this Nation. The economic harm caused by these criminals is ultimately paid by all consumers.

The annual loss to the banking community through credit card fraud is far in excess of the proceeds in bank robberies. In 1982, \$46.8 million was stolen in bank robberies. By comparison, over \$128 million was stolen from banks through credit card fraud in 1982. This increase is appalling and we must rely on our Federal resources to help reduce this trend.

An ambitious and hard working fraud user can use a single card to make \$10,000 in fraud transactions. On the black market, these cards can be purchased illicitly for about \$200. As long as this highly profitable criminal enterprise exists with little or no risk of stiff criminal penalties, we can be assured of this continuing economic harm to all consumers.

H.R. 5616 provides Federal law enforcement officers with the tools necessary to combat credit card and computer fraud. This bill goes to the heart of these unacceptable practices by squarely addressing computer fraud and credit card fraud with stiff criminal sentences and fines. I believe it is incumbent upon us to recognize and respond to the liabilities of the information age. Our society will gain from this new technology only when we work diligently to prevent its abuses by the criminal mind.

Mr. SAWYER. Mr. Speaker, now that we have heard from the "second-story man," I yield 3 minutes to the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. COUGHLIN. Mr. Speaker, I want to congratulate the distinguished chairman of the subcommittee and its distinguished ranking minority member for bringing this legislation to the floor today.

Mr. Speaker, I rise today in strong support of H.R. 5616 which is similar to a bill I introduced to establish a Federal penalty for computer crime.

The ever-growing expansion of computer usage has brought with it its own set of criminal abuses. Computers link and store information of immeasurable worth, vital to our citizenry and national security as well as the economic well-being of our Nation. Tampering with stored data, introducing fraudulent records and altering, destroying, or stealing assets or data can now be accomplished with a touch of a button. While Federal and State criminal laws provide a framework for dealing with computer abuse or computer-related crime, I believe a specific statute is warranted which would deal solely with the use of a computer as an instrument of crime.

Over the past few years, we have been confronted repeatedly with the occurrence of computer crime. Countless stories have appeared detailing the activities of individuals who have illegally altered computer records for their own personal gain. A recent American Bar Association survey reported a total loss to computer crime of \$730 million in 1 year. The extent of this problem is probably underestimated since many businesses fear that if they reveal cases of fraud they will only encourage others to try—so-called copycat crimes.

Moreover, personal computers and networking by telephones allow almost anyone to gain access to computers containing financial accounts, private information about U.S. citizens, and even national-security secrets. Security measures sometimes prevent offenders from obtaining specific information but often leave programs open to the kind of random destruction that is becoming more prevalent.

Last fall, when I testified before the Subcommittee on Civil and Constitutional Rights in favor of computer crime law, I urged the panel to report a measure it felt could most effectively deal with curbing computer crime. I commend the subcommittee and the full House Judiciary Committee for providing the House with today's opportunity to vote on such a bill.

I feel it incumbent upon the U.S. Congress to afford our citizens protection against computer crime. Accessing a computer without proper authorization is not a sport. It is a crime and it deserves punishment. A Federal statute dealing specifically with computer crime will serve, in my opinion, as an effective disincentive to those who

commit such offenses because of their relative ease.

H.R. 5616 is such a bill. It is designed to ensure that Federal law prohibits and punishes computer fraud. Although I would support an even stronger measure, I urge the Members of the House to vote in favor of its passage.

Mr. HUGHES. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Speaker, I rise in support of the bill, and I compliment very much the gentleman from New Jersey [Mr. HUGHES], who has been a great leader in bringing a variety of crime bills to the floor, including this one.

I am pleased to have had a little bit to do with this bill in respect to making it a misdemeanor to basically hack into a person's privacy with respect to financial or credit records. But I would make the point to my colleagues that this only scratches the surface of the problem of the security of computers in this country, whether they be Government computers or private computers. We need a national effort to deal with the issue of protecting information.

With respect to both national security information and financial information and all other sorts of information, we need to have better technological devices on computers to make sure they cannot be broken into in the first place. We need better diligence on the part of operators of computers to make sure they know what they are doing when they feed information in and when they come to changing passwords. A whole assortment of issues is raised by this computer society.

This bill makes a good first start by making it a crime to improperly enter into a computer and to do damage, but with respect to the entire issue of computers in this country, the issue has to be approached from a comprehensive point of view.

Mr. Speaker, I compliment my colleague, the gentleman from New Jersey [Mr. HUGHES], for bringing this very important bill to the floor today.

Mr. HUGHES. Mr. Speaker, I have no more requests for time, and I yield myself such time as I may consume.

Let me just say to my colleague, the gentleman from Kansas [Mr. GLICKMAN], that his contribution was a significant one. I think that his amendment in the full committee strengthened the bill, particularly with regard to protecting the privacy of certain records.

Our Subcommittee on Crime has enacted to date and the President has signed five anticrime measures. We have about eight or nine other crime bills in the works, and I do not think there are any measures that we are working on that will have more of an

impact on electronic-age crime as will this particular legislation.

As my colleague, the gentleman from Kansas, has said, this is not the last word. I do think, however, that it is a milestone piece of legislation, particularly in the area of computer crime. It is amazing just how fast this technology is moving and what it takes for us just to stay ahead of those who would abuse the system. All of our criminal statutes are couched in terms of tangible property in terms of trespass as an actual entry. So this new phenomenon of computer trespass is a whole new area of the law that we are going to be wrestling with in the years ahead as the technology evolves.

□ 1400

I do not think that there are any areas that are growing any faster than the area of credit-card use and credit-card fraud, computer use and computer-crime abuse.

This legislation will go a long way in dealing with those that would abuse these new technologies. I would urge my colleagues to support H.R. 5616, the Counterfeit Access Device-Computer Fraud Abuse Act of 1984. It is a good bill.

Mr. SAWYER. Mr. Speaker, I join the chairman in urging support for this bill.

I may say, though, we have a similar situation in computer fraud as we do in copyright. We are really carrying forward very ancient doctrines that in copyright were designed primarily for the printed book and printed material and we are trying to work out applications of them for satellite communications and all kinds of electronic transmissions.

We are in the same problem with the computer taking over from entering physical records or trespassing. It has been a very interesting exercise for me in both subcommittees that are dealing with these problems.

I want to congratulate the chairman for doing a very fine job of pushing this.

I might also say that it is a real pleasure being a minority Republican member serving with a chairman such as the gentleman from New Jersey, BILL HUGHES, who has been very, very generous in sharing authority and participation in the committee and the subcommittee in its activities. I want to let the gentleman know how much I have enjoyed that.

Mr. HUGHES. Mr. Speaker, will the gentleman yield?

Mr. SAWYER. I yield.

Mr. HUGHES. Mr. Speaker, I do not want it to sound like a mutual admiration society, but I thank my colleague for those comments. We have been afforded a great opportunity with this prime legislation. I have enjoyed work-

ing with my distinguished colleague from Michigan.

My colleague earlier singled out the work of the gentleman from New York, HAMILTON FISH, who has done a great deal of work particularly with regard to credit-card fraud. I want to echo the sentiments of my colleague, because HAM FISH has been of immeasurable help to us. He introduced the first legislation, I might say, dealing with credit-card fraud.

I also want to single out the work of the staff. Hayden Gregory and Charlene Vanlier have been very, very helpful in this, as well as much other legislation that we have dealt with, and Ed O'Connor in particular has done a yeoman's job on this particular bill. Ed has worked on this legislation for over 6 months and has done outstanding work. His contributions are very noteworthy.

Thank you.

● Mr. FISH. Mr. Speaker, H.R. 5616 responds to a serious increase in credit-card fraud. Industry statistics show that losses in 1981 and 1982 were nine times as great as the total for the previous 10 years. In 1983, credit-card counterfeiting resulted in losses of approximately \$47 million. This staggering price, which is ultimately paid by American consumers, deserves a Federal response.

I am pleased to support H.R. 5616 since it incorporates, in a substantial way, the provisions of my bill, H.R. 3181, which I introduced on June 1, 1983, and which has more than 50 cosponsors. I am pleased that by introducing the first bill ever to address the rapidly escalating problem of credit- and debit-card counterfeiting and fraud, it was possible to prompt the serious examination of this area and the recognition of the need for credit-card-counterfeiting legislation.

H.R. 5616 is the result of the diligent efforts of Mr. HUGHES, the chairman of the Subcommittee on Crime, Mr. SAWYER, the ranking Republican of the subcommittee, and the other members of the Crime Subcommittee. While I am generally satisfied with the bill in its current form, I continue to have several technical concerns about certain aspects of the bill. Since the other body has addressed these concerns in S. 1870, I urge the consideration of these refinements before we send this measure to the President.

This bill represents a carefully considered effort to deal with the escalating problem of credit- and debit-card counterfeiting and fraud. For that reason, I am pleased to support it, and urge this body to accept this important measure.●

● Mr. RODINO. Mr. Speaker, I rise in support of H.R. 5616, the Counterfeit Access Device and Computer Fraud and Abuse Act of 1984. In so doing, I would like to first commend the chairman of the Subcommittee on Crime,

Mr. HUGHES, and the ranking minority member, Mr. SAWYER, for their thorough and bipartisan approach to these new criminal abuses of high technology. I would also like to mention that the ranking minority member of the full committee, Mr. FISH, contributed greatly to this bill and in fact was one of the first to introduce a bill in the credit-card counterfeiting area. I should at this point note that H.R. 5616 in general deals with credit and computer fraud which can be characterized as white-collar crimes and as such often are neglected both at the Federal and State levels. The committee believes that this neglect is a great mistake and in fact an attack on white-collar crime can often be much more productive, economically, to this country than the more publicized emphasis on violent crime.

The prosecution of this type of crime, which silently robs millions of dollars from all of the taxpayers, a few dollars at a time, we believe, must remain a high priority for Federal law enforcement. It is in this perspective we must deal with credit and computer fraud as we begin an era of a cashless society where currency and even checks are becoming a diminishing part of our everyday life.

H.R. 5616 would make it a felony—up to 15 years in prison and substantial fines—to use, produce, or traffic in counterfeit-access device and device-making equipment. It also prohibits use or trafficking in unauthorized access devices if the defendant obtains \$1,000 in value in a year or possesses 15 or more unauthorized or counterfeit-access devices—up to 10 years and substantial fines—if such conduct affects interstate or foreign commerce.

It, for the first time, sets up a specific Federal felony—up to 10 years in prison and fines—for unauthorized access to computers if the defendant aggregates \$5,000 in illegal gains in 1 year—other than just this use of the computer—if such conduct affects interstate or foreign commerce or unauthorized access to information requiring protection against unauthorized disclosure for reasons of national defense or foreign relations.

The bill also creates misdemeanor crimes—up to 1 year in prison and substantial fines—for unauthorized access to information in computers protected by the right to Financial Privacy Act (12 U.S.C. 3401) and the Fair Credit Reporting Act (15 U.S.C. 1681), and any U.S. Government computer. It also proscribes unauthorized access to any computer if such conduct affects interstate or foreign commerce and if the defendant gains or cause a loss to others that aggregates \$5,000 or more in a 1-year period.

In closing, I would like to quote to you some dramatic statistics from a recent "report on computer crime" by a Task Force on Computer Crime of

the section on criminal justice of the American Bar Association:

The annual losses incurred as a result of computer crime appear, by any measure, to be enormous. Over 25% (72) of the survey respondents reported "known and verifiable losses due to computer crime during the last 12 months." The total annual losses reported by these respondents fall somewhere between \$145 million and \$730 million. Thus, the annual losses per respondent reporting losses could be anywhere from \$2 million to as high as \$10 million. Approximately 28% of the survey respondents reported no available system to monitor or estimate the value of their computer crime losses.

Federal law must keep pace with technology. It is as important today to develop Federal protection for intangible property such as information and high-tech credit transactions as it was to develop Federal law to protect tangible assets in interstate commerce in the past.●

Mr. HUGHES. Mr. Speaker, I yield back the balance of my time.

Mr. SAWYER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. HUGHES] that the House suspend the rules and pass the bill, H.R. 5616, as amended.

The question was taken.

Mr. HUGHES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMMISSION TO ASSIST IN THE FIRST OBSERVANCE OF THE FEDERAL HOLIDAY HONORING MARTIN LUTHER KING, JR.

Mrs. HALL of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5890) to establish a commission to assist in the first observance of the Federal legal holiday honoring Martin Luther King, Jr., as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that—

(1) January 20, 1986, is the fifty-seventh anniversary of the birth of Martin Luther King, Jr., and marks the first observance of the Federal legal holiday honoring Martin Luther King, Jr.;

(2) such holiday should serve as a time for Americans to reflect on the principles of racial equality and nonviolent social change espoused by Martin Luther King, Jr.; and

(3) it is appropriate for the Federal Government to coordinate efforts with Americans of diverse backgrounds and with private organizations in the first observance of the Federal legal holiday honoring Martin Luther King, Jr.

Sec. 2. There is established a commission to be known as the Martin Luther King, Jr. Federal Holiday Commission (hereinafter in this Act referred to as the "Commission").

Sec. 3. The purposes of the Commission are—

(1) to encourage appropriate ceremonies and activities throughout the United States relating to the first observance of the Federal legal holiday honoring Martin Luther King, Jr., which occurs on January 20, 1986; and

(2) to provide advice and assistance to Federal, State, and local governments and to private organizations with respect to the observance of such holiday.

Sec. 4. (a) The Commission shall be composed of—

(1) four officers from the executive branch, appointed by the President;

(2) four Members of the House of Representatives, appointed by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives;

(3) four Senators, appointed by the President pro tempore of the Senate in consultation with the minority leader of the Senate;

(4) Coretta Scott King and two other members of the family surviving Martin Luther King, Jr., appointed by such family;

(5) two individuals representing the Martin Luther King, Jr. Center for Non-Violent Social Change (a not-for-profit organization incorporated in the State of Georgia), appointed by such organization; and

(6) fourteen individuals other than officers or employees of the United States or Members of Congress, appointed by the members of the Commission under paragraph (1) through (5) of this subsection from among individuals representing diverse interest groups, including individuals representing labor, business, civil rights, and religious groups, and entertainers.

(b) Not more than half of the members of the Commission appointed under each of paragraphs (2), (3), (5), and (6) of subsection (a) shall be of the same political party.

(c) Members shall be appointed for the life of the Commission, and any vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(d) Members of the Commission shall serve without pay, but may, subject to section 7, be allowed travel expenses, including per diem in lieu of subsistence, while away from their homes or regular places of business in the performance of services for the Commission.

Sec. 5. (a) The Commission shall first meet within 30 days after the date of the enactment of this Act for the purpose of electing a chairperson from among its members and shall meet thereafter at the call of the chairperson.

(b) The Commission may encourage the participation of, and receive donations of

money, property, and personal services from, individuals and public and private organizations to assist the Commission in carrying out its responsibilities under this Act.

Sec. 6. (a) The Commission may appoint and fix the compensation of a director and a staff of not more than five persons without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the director may not be paid at a rate in excess of the rate of pay payable for grade GS-18 of the General Schedule, and a staff member may not be paid at a rate in excess of the maximum rate of pay payable for grade GS-13 of the General Schedule.

(b)(1) Upon the request of the Commission, the head of all departments and agencies of the United States may detail, on a nonreimbursable basis, any of the personnel of such departments or agencies to the Commission to assist it in carrying out its responsibilities under this Act.

(2) The heads of such departments and agencies are authorized and requested to cooperate with and assist the Commission in carrying out its responsibilities under this Act.

Sec. 7. All expenditures of the Commission shall be made from donated funds.

Sec. 8. Not later than April 20, 1986, the Commission shall submit a report to the President and the Congress concerning its activities under this Act.

Sec. 9. The Commission shall cease to exist after submitting its report under section 8.

The SPEAKER pro tempore. Is a second demanded?

Mr. COURTER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Indiana [Mrs. HALL] will be recognized for 20 minutes and the gentleman from New Jersey [Mr. COURTER] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Indiana [Mrs. HALL].

GENERAL LEAVE

Mrs. HALL of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration, H.R. 5890.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. HALL of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation is to create a national commission to prepare for the first national observance of the national birthday of Martin Luther King, Jr., who was one of the world's greatest humanitarians. The Commission shall consist of 31 members. There shall be four Members from the U.S. House of Representa-

tives, four Members from the U.S. Senate. The President of the United States shall appoint four members. Mrs. Coretta Scott King, who is the widow of the slain civil rights leader and humanitarian, two immediate family members and one person representing the Martin Luther King Center for Non-violence Social Change and an additional 15 members consisting of persons representing every sector of our society shall make up the bipartisan Commission. The Commission shall have a staff not to exceed five persons and it will have the authority to accept donations for the purpose of financing the necessities that will be involved in preparing for that first observance.

I believe that this is very important legislation, because we know that last year we did adopt legislation to create a national holiday, but a holiday in itself is not enough. We would like to have a meaningful holiday, Mr. Speaker, and we believe that in order to do so, we must have adequate preparation. We do believe that this legislation will allow us to have a commission which is designed to prepare and carry out a fulfilling national holiday on the third Monday of January 1986.

I shall point out to you that this Commission shall exist for 20 months and after that period of time it will be sunsetted.

Mr. Speaker, I would like to read the amendments which we would like to have considered today. We have two technical amendments. The first amendment seeks to provide for the Commission to have needed flexibility to hire the staff to operate the Commission for its 20-month duration and exempt it from chapter 51 and subchapter 3 of chapter 53 of title 5, United States Code, relating to classification and general schedule pay rates.

The second committee amendment clarifies the committee's desire to insure that Commission members, while serving without pay, shall be allowed travel expenses, including per diem in lieu of subsistence while away from their homes or regular places of business for the purpose of carrying out the duties and the responsibilities of the Commission.

Mr. Speaker, I would like to add that we would like to ask the House for its support. We do feel that this is very important legislation and we need the support of the House to get it adopted.

We believe that this legislation will not only give us the holiday, but as I said, it will give us a meaningful holiday, so that the life and work of Martin Luther King, Jr., certainly can be reflected in that first national celebration.

Mr. Speaker, I have several Members who would like to speak on behalf of this bill.

First, Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Speaker, I thank my chair for yielding.

Mr. Speaker, I consider it a privilege to have cosponsored H.R. 5890 and an honor to rise in support of this bill to establish the Martin Luther King, Jr., Federal Holiday Commission to assist in the first observance of the Federal legal holiday honoring Martin Luther King, Jr.

I strongly support this legislation. It is an appropriate means of guaranteeing that the first holiday marking Dr. Martin Luther King's birthday will pay fitting tribute to a person who did more than any other individual in our lifetime to advance the cause of social justice. The legislation also underscores our national commitment to equality, and to the principles for which Dr. King stood.

Mr. Speaker, nearly 1 year ago, we were all blessed to be able to witness an historic event when the Congress enacted and the President signed H.R. 3345 making Dr. King's birthday a Federal holiday. Yet, our challenge goes beyond recognizing his birth. Now we must ensure that the holiday remains true to what Dr. King represented. The Commission will make certain that it does.

Mr. Speaker, no other holiday serves as a focal point for encouraging improved race relations or for unifying the American people in the spirit of Dr. King's dream of mutual understanding and respect among people. It is my hope that our celebrating his birth each year will cause us to reflect upon his life and the just society of which he dreamed—one in which all women and men would be treated with dignity and equality. Dr. King also felt that this ultimately would lead to world peace.

Mr. Speaker, this Commission is necessary if we are to ensure that the King holiday remains a positive and constructive force in the lives of Americans and people all over the world. Furthermore, the passage of H.R. 5890 will encourage private and public organizations to assume a leadership role in the proper observance of Dr. King's birthday in 1986.

Finally, Mr. Speaker, I would like to pay a special tribute to my good colleague from Indiana, Congresswoman KATIE HALL, for her sponsorship, leadership, and enthusiasm for bringing this bill to the floor today. Without her ceaseless efforts on behalf of this bill, the Martin Luther King, Jr., Federal Holiday Commission would not have been possible. She is to be commended for her foresight and leadership.

□ 1410

None of us was successful until KATIE HALL came to Congress in pass-

ing this bill. So we, all of us, owe her, the American people owe KATIE a special tribute today and we will throughout our lifetime for her ceaseless efforts on behalf of the bill for the Martin Luther King, Jr., Federal Holiday Commission, without whose efforts this particular bill would not have been possible.

I hope that in the future we have enough good wisdom to see KATIE one of the Commissioners. I know my colleague from the other side and I have discussed this in committee. KATIE does not like to see us discuss it publicly, but we really feel that this is something very cherished to her and she would bring forward that kind of feeling and love to the celebration of the Dr. King holiday. It is for that reason that I certainly want to commend my Chair and leader and thank her for all of her good work.

Mr. COURTER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of the legislation establishing a commission to commemorate the birthday of Dr. Martin Luther King, who would be on the first occasion of the public holiday, January 22, 1986, only 57 years of age. We often forget that he indeed during his productive life was a very young man, a person who had a great deal of vision and a great deal of compassion and a great number of accomplishments at a very young age.

We passed legislation commemorating his birthday so that it will take place on his birthday, January 22, 1986. But as was said by the gentlewoman from Indiana [Mrs. HALL] we are not going to have a meaningful celebration unless we have a group of enthusiastic supporters forming a commission that will get together to help commemorate such an occasion.

I would emphasize also that this Commission will be functioning using private donations, private money, as Dr. Martin Luther King would have it, I am quite sure, if he could express his own desire. He was an inspiration to millions of Americans while he lived and he remains an inspiration to millions of Americans long after his death.

He was a person who preached freedom, freedom from hatred, freedom from prejudice, freedom from violence. I can remember very well his beautiful statement during the march in Washington, DC, when he spoke so eloquently from the Lincoln Memorial and when he ended up by saying "Free at last, free at last, thank God Almighty I am free at last."

He was a great American who deserves not only the holiday but a commission to help make it productive, to help make it meaningful, to help make it sacred for millions of Americans for whom he died and for whom he set a magnificent example.

I would like also to parrot the expression of MARY ROSE OAKAR indicating that I personally would love to see the gentlewoman from Indiana, the chairwoman of the subcommittee to be one of those commissioners. She deserves it. This piece of legislation was brought up year after year after year, and it was not until KATIE HALL came to Congress that it actually passed. I think that is a fitting tribute to her measure as a Congresswoman.

As Dr. Martin Luther King's life, Mr. Speaker, cannot be measured by its longevity, he died at a young age, certainly Mrs. HALL's measure of her productivity as a Member of Congress cannot be measured by its longevity. She was here for a short period of time, but by virtue of the passage of this meaningful legislation it was indeed more productive than many of our colleagues who have been here for much longer.

Mr. Speaker, I thus rise in support of H.R. 5890, which would establish a commission to assist in the first observance of the Federal legal holiday honoring Dr. Martin Luther King, Jr.

Mr. Speaker, on August 2, 1983, this body passed legislation designating the third Monday in January of each year, beginning in 1986, as a national holiday commemorating the birthday of slain civil rights leader Dr. Martin Luther King, Jr.

Dr. King was a man whose great vision and determination moved an entire country. Dr. King had a dream of equality, equality of rights and opportunity for all people. It was for this dream that Dr. King lived, and it was for this dream that he died.

The holiday will recognize Dr. King for his service and acknowledge not only our debt to this great man but our national acceptance of his dream, a dream of a society free from hatred, free from prejudice, and free from violence, where there is equal opportunity for all Americans.

January 20, 1986, is the 57th anniversary of the birth of Martin Luther King and marks the first observance of the Federal legal holiday honoring this great man. I feel it is most appropriate for the Federal Government to assist in coordinating efforts with all Americans of diverse backgrounds and with private organizations in the first observance of this Federal legal holiday.

The legislation before us, H.R. 5890, proposes a 31 member commission, to be known as the Martin Luther King, Jr., Federal Holiday Commission. The Commission will serve to encourage appropriate ceremonies and activities throughout the United States relating to the first observance of the holiday.

In closing, Mr. Speaker, I would like to point out one very important provision in H.R. 5890. The King Commission will not use any Federal funds

since all funds for expenditures will be donated by both individuals from the private and public sector. The bill proposed requires a final report from the Commission to the President and the Congress no later than April 10, 1986, at which time the Commission will cease to exist.

Mr. Speaker, I would like to thank the gentlewoman from Indiana [Mrs. HALL] for her leadership on this legislation.

Mr. Speaker, seeing no other Members on our side at this particular moment who would like to speak on this legislation, I yield back the balance of my time.

Mrs. HALL of Indiana. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. I thank the gentlewoman from Indiana, the chairman of the committee, for yielding to me at this point in time. I rise to join her and many of my colleagues in support of H.R. 5890, legislation establishing a commission to assist in the first observance of a historical and appropriate event, the observance of the Martin Luther King, Jr., birthday.

First, before getting into the merits of this particular piece of legislation, like my colleagues who preceded me, the gentleman from New Jersey [Mr. COURTER] and the gentlewoman from Ohio [Ms. OAKAR], I would like to join them in commending our colleague, KATIE HALL, for her leadership; her effective chairing of the committee that reported out the Martin Luther King holiday bill; for her working with many diverse groups; for her ability to calm concerns about the legislation from an economic standpoint; and to impress upon her colleagues in the House of Representatives and in the other body, and in the country the appropriateness of the step that we took, the historic step that we took, and to join also with them in lamenting the fact that she will not be serving us in an elected capacity in the next session of Congress. That is unfortunate for us. It is unfortunate for the country and, in my opinion, it is unfortunate for the people of her district.

KATIE HALL served in the Indiana Senate for 6 years and was there a leader and has here been a leader. KATIE HALL has been my friend and I am pleased to join her in supporting this most appropriate piece of legislation.

In January 1986 we will be celebrating a holiday, the first observance of the Federal holiday in honor of Dr. Martin Luther King, Jr. It will be the first national recognition of the vision and determination of this great man. And it is right, it is important, it is proper that we encourage ceremonies and activities throughout the United States to mark this important day. Observances which will bring the impor-

tance of the life of Martin Luther King and the principles for which he fought to the attention particularly of our young people and also to all of the citizens of this Nation and to people around the world.

H.R. 5890 will establish, as has been said, a commission to provide assistance and advice to both private and public organizations planning events for the King holiday. Because the Commission would receive donations from individuals and public and private organizations, no Federal funds would be required. Yet it would provide an important and needed Federal service.

Twenty-one years ago, Mr. Speaker, Martin Luther King, Jr., led over a half a million people to the Nation's Capital to sound a protest to the injustice that characterized the treatment of blacks in this country, and to offer a challenge and a dream. We have come far in this Nation in righting many of the wrongs of which Dr. King spoke, but there is still, as all of us would observe, and as Dr. King would observe if he were alive today, much that needs to be done.

The observance of this holiday will be a yearly benchmark from which we can measure our actions and be reminded of the higher goals and ideals to which we should all aspire. Goals and ideals that form the basis of this Nation and the philosophy of Dr. Martin Luther King, Jr.

Mr. Speaker, I feel it most appropriate, as has been stated by the gentleman from New Jersey [Mr. COURTER] and the gentlewoman from Ohio [Ms. OAKAR] in a bipartisan fashion, that this body individually and collectively recommend that our colleague KATIE HALL, be added as a member of this important Commission, and I would support wholeheartedly that effort. She has been intimately involved in the passage of this important legislation, setting up this Commission, and previous to that the legislation which was its genesis, the establishment of the Martin Luther King, Jr., holiday. Mr. Speaker, I am pleased to be a co-sponsor of this legislation and of the legislation which established the Martin Luther King, Jr., holiday.

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I trust that there will not be a dissenting vote when we move to pass H.R. 5890.

Mr. COURTER. Mr. Speaker, I ask unanimous consent to recapture my time as there are other colleagues who would like to speak for a couple of moments on this side of the aisle.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. COURTER. Mr. Speaker, I yield such time as he may consume to the

gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I rise in support of H.R. 5890, legislation which would establish a Commission to assist in the first observance of the holiday celebrating the birth of Dr. Martin Luther King, Jr. As one who was a proud sponsor of legislation to establish this national holiday, I am pleased to support this bill.

As we know, the bill creates a 31-member Commission to plan the first celebration. The committee explains that they do not want to make this celebration just another 3-day weekend. And they are right. As we plan for the January 20, 1986, holiday, we should encourage all citizens of America to understand what Martin Luther King meant to this Nation—not just to the black people of America, but all the people of America.

Mr. Speaker, Martin Luther King strove for peaceful solutions to terrible problems facing this Nation in the 1960's. He strove for justice and peace in a nation torn by racial strife. It is important that the Commission established today—established at no cost to the Federal Government—educate the Nation to the work of Martin Luther King so that the first celebration is more than just another 3-day weekend.

Mr. Speaker, I yield back the balance of my time.

Mrs. HALL of Indiana. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Thank you.

Mr. Speaker, I begin my support for H.R. 5890 by commending our distinguished colleague from Indiana, Congresswoman KATIE HALL. The gentlewoman who has done so much in the management and leadership on this bill which will help preserve Dr. King's dreams and the ideals he stood for. I want to thank her for what can be nothing more than a very logical extension of our commitment to the memory of Dr. King; a commission that will examine the best ways that this country and our citizens can move forward in the celebration of his birthday.

I think that the proposed structuring of the Commission, with particular respect to the appointment of Coretta Scott King as well as other civil rights leaders who will surely be reflected in it's makeup, goes to the very reality of the change that is coming in this country that is now being seen, I think, and being felt by the passage of the holiday bill only so recently. Passage of this bill today, will be yet another step toward translating Dr. King's dreams and ideals into a practical living reality.

Several months before his tragic assassination, King stated with his unique clairvoyance:

That the struggle for peace and the struggle for civil rights as we call it in America, happen to be tied together * * * I feel that the people who are working for civil rights are working for peace; I feel that the people working for peace are working for civil rights and justice * * * We must not allow our creative protests to degenerate into physical violence (but) we cannot turn back * * * no, no, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

King's methods were nonviolent. He took the moral highground relentlessly searching for the ultimate truths. His beacon was civil justice and peace. His dream of this epitomized the most time honored democratic ideals this country was founded upon, demonstrating that we can conquer the endemic racial and sectional strife within the pluralistic framework of the system. He broke the segregationist walls that were fragmenting our society and built the bridges which help bind us together. In doing so, he renewed our alliance with democracy and reinvigorated the Constitution.

The issue before us today, is how to best keep the dream alive and vital. Why even keep the dream alive if only to do it halfheartedly.

The objective of the commission is to give those leaders, who lived through and who were permanently shaped by the civil rights upheaval, an opportunity to work together to determine how best to preserve the King ideal, how best to enshrine it in our institutions, how best to remember the hope that the dream represented to us all, and most importantly how best to teach it to our children.

I rise in support of this bill and sincerely hope that this body will pass it unanimously.

Mr. HOYER. Mr. Speaker, will the gentleman yield.

Mr. CONYERS. I yield to my colleague from Maryland.

Mr. HOYER. I appreciate the gentleman from Michigan yielding.

Mr. Speaker, I think it ought to be said on this floor that the gentleman from Michigan certainly deserves as much credit as anybody in this body for his steadfast, courageous, and tenacious introduction year after year, in his encouragement to this body and to the Nation that we take the appropriate step with which this commission will deal and that of course is the national celebration of the birthday of Martin Luther King, Jr.

Mr. Speaker, I think the Members of the House would again want to reiterate their admiration and thanks to the gentleman from Michigan for his critical and long standing and essential leadership on this issue. I congratulate the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I thank my colleague. Without his

strong support for and deep appreciation of the contributions of Dr. Martin Luther King, Jr., it might have taken even longer to accomplish our task.

Mrs. HALL of Indiana. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Louisiana [Mrs. Boggs].

Mrs. BOGGS. Thank you, Mr. Speaker. Thank you, Madam Chairman, for yielding to me.

I rise in full support of the Commission for the appropriate celebration of the Martin Luther King holiday. In a very practical manner, I have served on several commissions to celebrate national holidays. Currently I am on the Truman Centennial Commission and I know how vitally important the work of these commissions are to the celebration of the events, to the proper, appropriate, dignified, and yet joyous celebration of historic events, particularly those that memorialize citizens who represent certain significant changes in the history of the United States.

So it is with great fervor that I would ask the Members of this body to be certain to pass this legislation.

Mr. Speaker, the Commission is composed in a most remarkable manner. It insures that we will encourage full participation at the national, the congressional, the State, and the local levels and yet the private sector will have a great part in arranging for the celebration. It also ensures that Mrs. King, Coretta Scott King, who has, with our colleague the gentleman from Michigan, been so persistent in her hopes for the realization of the holiday set-aside, will be on the Commission as will other members of the King family.

We know that this Commission will pull together all the enthusiasm and the joy and the plans of thousands of organizations, large and small. Because there will be so many plans that will be made we will need a commission which will be able to make certain that the celebration is one of dignity as well as one of joy and entertainment.

It is with great pride that I come before you and ask you to support my colleague, Mrs. HALL, who has been one of the most splendid Members of this House and has shepherded this legislation as she did the earlier legislation for the holiday institution, itself, with care, love, and great persistence.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentlewoman from Indiana.

Mrs. HALL of Indiana. Mr. Speaker, I would like to thank the ranking member of the House Subcommittee on Population and Census, Mr. COURTER, and all of the members of that subcommittee who represent both sides of the aisle for their ideas, their

help, and everything they did to make it possible to get this legislation adopted out of the subcommittee by unanimous vote.

Of course we would like to thank Chairman FORD and all the members of the full committee for doing the same.

Today we come asking the consideration of all Members of this house in getting this legislation adopted so that a meaningful celebration can take place in 1986 and that America can indeed be proud to have a national holiday in honor of a person who not only touched this country but many persons throughout the world.

He was a great civil rights leader, a humanitarian, a distinguished member of the clergy, and a Nobel Peace Prize winner and he did many outstanding things to so many people.

We certainly do ask the support of all.

● Mr. FAUNTROY. Mr. Speaker, I rise in support of House Resolution 5890, legislation to establish the Martin Luther King, Jr., Federal Holiday Commission, a Commission to assist in the first observance of the Federal legal holiday honoring Martin Luther King, Jr. It is imperative that we support the creation of such a Commission in order to ensure that the celebration honoring Dr. King and his legacy befit the magnitude and essence of his contributions to our Nation and to the rest of the world.

The Commission would consist of 31 members, including 4 appointed by the President, 4 by the Speaker of the House, and 4 by the President pro tempore of the Senate. In addition, the widow of Dr. King, Mrs. Coretta Scott King, two other members of the King family, and two representatives from the Martin Luther King Center for Non-Violent Social Change would serve on the Commission. This group would appoint the 17 other members in a manner which would reflect the diversity of America's population and interests. Together, these individuals would act in an advisory capacity to public and private organizations planning activities for the holiday. For organizational and efficiency purposes the Commission would be allowed to appoint a director and a staff consisting of not more than five people. The Commission would make a final report to the President and to the Congress concerning its activities no later than April 20, 1986, after which it would disband.

This legislation involves no sacrifice by American taxpayers. The bill provides that the Commission be funded by donations from individuals and from public and private organizations. The Congressional Budget Office, thus, estimates no cost to establish the Commission.

I was pleased to be a cosponsor of the bill by which, in passing, our Nation gave formal recognition to the importance of Dr. King's life and death, designating the third Monday in January as a legal public holiday, beginning in 1986. In doing this, we demonstrated an understanding of the need to continually rededicate ourselves to the ideals preached by Dr. King, which included, nonviolent resolution of conflict; reconciliation amongst all men; and commitment to the struggle against poverty, racism, and violence.

Now let us complete the task by ensuring that the ceremonies and activities of January 20, 1986, set a precedent to be followed in years to come. Let us pass H.R. 5890 and establish this Commission to advise and assist the individuals and the private and public organizations participating in the first celebration of this historically and morally significant event.●

● Mr. GARCIA. Mr. Speaker, I rise to speak in support of H.R. 5890, a bill to establish a Commission to assure proper observance of the first official national holiday commemorating Dr. Martin Luther King, Jr.

I wish to commend my esteemed colleague from Indiana for taking the initiative with this significant legislation.

As you know, I previously chaired the Subcommittee on Census and Population and sponsored the bill which established a national holiday to honor the life and work of Dr. King. For this reason, I feel a special responsibility to ensure that the first official observance of this holiday is handled in a manner that reflects the esteem and pride all Americans should feel on this important occasion.

The Commission will be a temporary structure and will disband forever after its work is done. It will require no Government funding and will be supported entirely through private contributions. Thus the bill does not propose a permanent structure that will burden the budget and take scarce resources away from vital areas where they are needed.

I urge my colleagues to support this bill. Passage of the legislation will reaffirm the congressional commitment reflected in the act establishing a national holiday. It will send a message to all Americans that the Congress cares enough about the principles Dr. King lived and died for. To ensure that the occasion of the first national holiday in his honor will be marked by appropriate ceremony, seriousness, and support, Mr. Speaker, I know of no better way to make this happen than to establish the Commission called for by this bill.

The Commission will reinforce the intent expressed in the original act, and will demonstrate to all Americans that the Congress continues to care about social justice and healing the

wounds inflicted by segregation and discrimination. This important process will not be finished when the Commission ends its work. But establishing the Commission is a concrete way we can show that we want to move forward in the future and build the kind of society in which people are judged by the content of their character and not the color of their skin.

I hope my colleagues find it in their hearts and souls to support this bill. I again wish to thank the gentlewoman from Indiana for her efforts in this regard. Passage of the bill would be a way of thanking her and showing respect for the contributions she has made to this body.●

● Mr. ADDABBO. Mr. Speaker, it is the nature of this body and of the American people, that when we set out to accomplish something we don't just want to get it done, but we want to do it as well as we know how. This past October the Congress passed legislation and the President signed into law a measure designating January 26 a national holiday commemorating the late Dr. Martin Luther King Jr. Before us today is a bill which calls for the establishment of a Commission to assist in the first observance of that holiday. Fundamentally, the purpose of this Commission is to insure that we don't just observe this day of memorial but, in fact, we celebrate it. Because more than a day of remembrance for Dr. King alone, January 26 is to serve as a time for reflection and celebration of the principles which Dr. King lived for and ultimately died for.

Twenty one years ago when Martin Luther King Jr., wrote from his cell in a Birmingham jail that "injustice anywhere is a threat to justice everywhere," he was speaking not only as a leader of the black community but as the conscience of our Nation. So long as anyone was judged by the color of their skin, their gender or the church or synagogue where they prayed, Americans had and continue to have today an obligation to speak out, to protest. Who can doubt that without the accomplishments of Dr. King yesterday we would have had a black Presidential candidate and a woman vice presidential nominee today. These are but a few of Dr. King's legacies.

The bill before us would establish a Commission whose purpose is twofold: First, to encourage appropriate nationwide ceremonies relating to the first observance of the holiday honoring Dr. King and second, to provide, with regard to this observance, advice and assistance to Federal, State and local governments, and to private organizations. The maintenance and expenditures of the Commission are to be made from privately donated funds and therefore represent no further burden on the Federal budget.

We have taken action to honor a man of immeasurable conviction and

merit, it is only appropriate that we go one step further and assure that this day of remembrance be commensurate with the great deeds and accomplishments of Dr. Martin Luther King, Jr.●

Mrs. HALL of Indiana. Mr. Speaker, I have no further requests for time, and with that, I yield back the balance of my time.

Mr. COURTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana [Mrs. HALL] that the House suspend the rules and pass the bill, H.R. 5890, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXEMPTING RESTAURANT CENTRAL KITCHENS FROM FEDERAL INSPECTION

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5223) to exempt restaurant central kitchens from Federal inspection requirements, as amended.

The Clerk read as follows:

H.R. 5223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301(c)(2) of the Federal Meat Inspection Act (21 U.S.C. 661(c)(2)) is amended by adding the following sentence at the end thereof: "For the purposes of this subparagraph, operations conducted at a restaurant central kitchen facility shall be considered as being conducted at a restaurant if the restaurant central kitchen prepares meat and meat food products that are ready to eat when they leave such facility and are served in meals or entrees only to customers at restaurants owned or operated by the same person, firm, or corporation owning or operating such facility."

Sec. 2. Section 5(c)(2) of the Poultry Products Inspection Act (21 U.S.C. 454(c)(2)) is amended by adding the following sentence at the end thereof: "For the purposes of this subparagraph, operations conducted at a restaurant central kitchen facility shall be considered as being conducted at a restaurant if the restaurant central kitchen prepares poultry products that are ready to eat when they leave such facility and are served in meals or entrees only to customers at restaurants owned or operated by the same person owning or operating such facility."

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Texas [Mr. DE LA GARZA] will be recognized for 20 minutes and the gentleman from Vermont [Mr. JEFFORDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5223. This bill would provide an exemption from Federal meat and poultry inspection requirements for restaurant central kitchens that prepare ready-to-eat food for sale to individual consumers at restaurants owned or operated by the same person.

Currently, USDA does not inspect kitchens which distribute products to only one restaurant. If the central kitchen distributes food products to two or more restaurants, though, the central kitchen must be inspected.

Restaurants, per se, are exempt from Federal inspection under the Federal Meat Inspection Act and the Poultry Products Inspection Act. Restaurant central kitchens, however, under USDA requirements, are inspected on the same basis as meat-packing plants and processing operations and must meet the same regulatory requirements for sanitation, equipment, and facilities.

In the view of the committee, exempting restaurant central kitchens from Federal inspection would alleviate regulatory burdens upon the industry and minimize taxpayers' expense. At the same time, consumers would continue to be assured that they will receive wholesome, unadulterated, and properly labeled meat and poultry products. The adulteration and misbranding provisions of the Meat and Poultry Inspection Acts would continue to apply, notwithstanding the exemption from the inspection requirements. In addition, operations at central kitchens would continue to be subject to local health inspection. The committee believes that the rationale that served as a basis for exempting restaurants from the Meat and Poultry Inspection Acts should apply as well to central kitchens serving restaurants owned or operated by the same person.

In the past, restaurants purchased raw ingredients for their menu items and prepared them on site at each restaurant—in essence a decentralized food service system. The quality of the product could vary from one restaurant to another depending on the ingredients, personnel, equipment, and so forth. In addition, these decentralized operations were becoming costly in terms of labor and equipment costs. With the use of standardized recipes and new preparation procedures, the food service industry began to centralize its purchasing and preparation of food products.

The advantage of centralized food service systems is that, first, quality of menu items is uniform from one restaurant to another, and second, dollar savings are realized by buying in large bulk quantities and reducing food labor costs.

This is essentially a technical amendment to include the term "restaurant central kitchen" in the exclusion for "restaurants" under the Meat and Poultry Inspection Acts, since they are the same thing.

Since central kitchens were not specifically excluded, USDA expanded its jurisdiction to include them when inspecting meat processors and packing plants. These facilities are not meat-packers nor processors. They are restaurant kitchens differing only in location. They cook with products that have been inspected at several levels in the packing/processing stage, and the kitchens themselves are inspected by State and local health departments the same as any other restaurant kitchen.

Although only about 20 restaurant central kitchens nationwide are currently inspected, the regulations themselves—written for meatpacking and processing plants—prevent small restaurant owner-operators from expanding and competing. Most small operators cannot build kitchens with aisles as wide and counters as high as processing plants. They cannot afford specialized equipment. They cannot provide special rooms for inspectors and pay their overtime.

In March 1983 the Food Safety Inspection Service of the Department of Agriculture published a study entitled "An Analysis of Exemption Provisions of the Meat and Poultry Inspection Laws." Among the various issues studied was USDA's policy on inspecting central kitchens, and specifically, the question considered was: Should central kitchens which distribute meals or entrees to their owned or operated restaurants be exempt from inspection?

The Food Safety Inspection Service report concluded:

Central kitchens producing food products for their own restaurants encounter many regulatory burdens when under inspection. These central kitchens were established to insure that uniform quality products are served to their clientele regardless of which restaurant serves the product. With the numerous State and local health codes, Federal inspection of these operations has marginal benefits to the consumer. Exempting central kitchens which provide meat/poultry food products to their own restaurants would eliminate the different inspection policies for central kitchens and caterers, and insure a consistent, fairer policy for both. Other adequate considerations, such as local health and inspection requirements, still insure that consumers would receive wholesome, unadulterated products. However, central kitchens offering their products for resale should remain under inspection.

The amendment is strictly limited in scope. It does not exempt any central kitchens that provides any food for a restaurant or facility that is not owned by the owner of the central kitchen, even if most of the meat food products so prepared are served in restaurants owned by the same person that owns the central kitchen. This

means, for example, that food prepared in central kitchens for sale to airlines would not be covered by the exemption. Likewise, those central kitchens which cook food to be sold in packaged form would continue to be inspected. The effect of the amendment is that restaurant central kitchen facilities that comport with the foregoing requirements would be exempt from Federal inspection, regardless of whether its operations were intrastate or interstate.

It had been my hope that this matter could be resolved administratively. However, the Office of General Counsel of the U.S. Department of Agriculture issued a legal opinion that an exemption for restaurant central kitchens from Federal inspection can be brought about only through statutory amendment.

My bill will help bring about this much desired reform.

The Department of Agriculture recommends this legislation.

I urge my colleagues to join me in support of this bill.

Mr. JEFFORDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5223, a bill to exempt central kitchens from the requirements of the Federal Meat Inspection Act.

Central Kitchens are facilities where a restaurateur prepares food for distribution to other serving sites. Such kitchens are becoming increasingly popular as competition within the industry causes businesses to seek ways of reducing costs.

The Federal Meat Inspection Act in effect now treats such operations as meat packing or processing plants. It did not necessarily intend this; indeed, those who designed the meat inspection program years ago did not foresee the development of central kitchens distributing ready-to-eat foods to satellite serving sites.

This bill will simply cause such central kitchens to be treated as are approximately 500,000 other restaurants where food is prepared and served at the same site. These central kitchens are not meat packing or processing plants, although an interpretation of the Federal Meat Inspection Act now treats them as such. Like the kitchens in virtually all other restaurants, they use State or federally inspected meat products in preparing their meals. As it now stands, these central kitchens are subjected to an unnecessary duplication of inspection, a duplication that is costly and produces little if any benefit for consumers.

Let me reiterate that restaurant kitchens in general are not inspected by State or Federal meat inspectors. They use federally inspected meats and are inspected as to cleanliness by their local or State health depart-

ment. Central kitchens are subject to these same checks on their products and procedures, but are in addition unnecessarily subjected to a second inspection of meat products.

Only this duplicative inspection of meat products will be eliminated by this bill. The protection afforded to consumers by the fact that the meat that these kitchens use is State or federally inspected and that the appropriate health departments inspect and license them will continue.

This bill will exempt central kitchens from these requirements only if the food that they prepare is ready to eat when it leaves the kitchen and if that food is served to customers at restaurants owned or operated by the owner or operator of the central kitchen. In other words, the exemption is rather narrowly drawn so that the line of responsibility is kept quite clear.

In committee there was some controversy over the fact that meat prepared in central kitchens might cross State lines in contravention of the Federal Meat Inspection Act. This bill makes clear that central kitchens exempted from Federal meat inspection may only serve restaurants in the same State.

Mr. Speaker, this bill will bring the Federal Meat Act into conformity with the needs of a rapidly changing industry. It is a narrow exemption that, in my opinion, will not weaken in any way the all-important protection that the Federal Meat Inspection Act provides our citizens.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DE LA GARZA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. DE LA GARZA] that the House suspend the rules and pass the bill, H.R. 5223, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HONEY RESEARCH, PROMOTION, AND CONSUMER INFORMATION ACT

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5358) to enable honey producers and handlers to finance a nationally coordinated research, promotion, and consumer information program designed to expand their markets for honey, as amended.

The Clerk read as follows:

H.R. 5358

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Honey Research, Promotion, and Consumer Information Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. The Congress finds that:

(1) Honey is produced by many individual producers in every State in the United States.

(2) Honey and honey products move in large part in the channels of interstate and foreign commerce, and honey which does not move in such channels directly burdens or affects interstate commerce.

(3) In recent years, large quantities of low-cost, imported honey have been brought into the United States, replacing domestic honey in the normal trade channels.

(4) The maintenance and expansion of existing honey markets and the development of new or improved markets or uses are vital to the welfare of honey producers and those concerned with marketing, using, and processing honey, along with those engaged in general agricultural endeavors requiring bees for pollinating purposes.

(5) The honey production industry within the United States is comprised mainly of small- and medium-sized businesses.

(6) The development and implementation of coordinated programs of research, promotion, and consumer education necessary for the maintenance of markets and the development of new markets have been inadequate.

(7) Without cooperative action in providing for and financing such programs, honey producers, honey handlers, wholesalers, and retailers are unable to implement programs of research, promotion, and consumer education necessary to maintain and improve markets for these products.

(b)(1) It is, therefore, the purpose of this Act to authorize the establishment of an orderly procedure for the development and financing, through an adequate assessment, of an effective and coordinated program of research, promotion, and consumer education designed to strengthen the position of the honey industry in the marketplace and maintain, develop, and expand markets for honey and honey products.

(2) Nothing in this Act may be construed to dictate quality standards for honey, provide for control of its production, or otherwise limit the right of the individual honey producer to produce honey. This Act treats foreign producers equitably, and nothing in this Act may be construed as a trade barrier to honey produced in foreign countries.

DEFINITIONS

SEC. 3. As used in this Act:

(1) The term "honey" means the nectar and saccharine exudations of plants which are gathered, modified, and stored in the comb by honey bees.

(2) The term "honey products" means products produced, in whole or part, from honey.

(3) The term "Secretary" means the Secretary of Agriculture.

(4) The term "person" means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity.

(5) The term "producer" means any person who produces honey in the United States for sale in commerce.

(6) The term "handler" means any person who handles honey.

(7) The term "handle" means to sell, package, or process honey.

(8) The term "importer" means any person who imports honey or honey products into the United States or who acts as an agent, broker, or consignee for any person or nation that produces honey outside of the United States for sale in the United States.

(9) The term "producer-packer" means any person who is both a producer and handler of honey.

(10) The term "promotion" means any action, including paid advertising, pursuant to this Act, to present a favorable image for honey or honey products to the public with the express intent of improving the competitive position and stimulating sales of honey or honey products.

(11) The term "research" means any type of research designed to advance the image, desirability, usage marketability, production, or quality of honey or honey products.

(12) The term "consumer education" means any action to provide information on the usage and care of honey or honey products.

(13) The term "marketing" means the sale or other disposition in commerce of honey or honey products.

(14) The term "Committee" means the National Honey Nominations Committee provided for under section 7(b) of this Act.

(15) The term "Honey Board" means the board provided for under section 7(c) of this Act.

(16) The term "State association" means that organization of beekeepers in a State which is generally recognized as representing the beekeepers of that State.

(17) The term "State" means any of the several States, The District of Columbia and the Commonwealth of Puerto Rico.

HONEY RESEARCH, PROMOTION, AND CONSUMER INFORMATION ORDER

SEC. 4. To effectuate the declared policy of this Act, the Secretary shall, subject to the provisions of this Act, issue and, from time to time, amend orders applicable to persons engaged in the production, sale or handling of honey and honey products in the United States and the importation of honey and honey products into the United States.

NOTICE AND HEARING

SEC. 5. Whenever the Secretary has reason to believe that the issuance of an order will assist in carrying out the purpose of this Act, the Secretary shall provide due notice of and opportunity for a hearing upon a proposed order. Such hearing may be requested and a proposal for an order submitted by any organization or interested person affected by the provisions of this Act.

FINDINGS AND ISSUANCE OF AN ORDER

SEC. 6. After notice of and opportunity for a hearing has been provided in accordance with section 5 of this Act, the Secretary shall issue an order if the Secretary finds, and sets forth in such order, that, upon the evidence introduced at such hearing, the issuance of such order and all the terms and conditions thereof will assist in carrying out the purpose of this Act.

REQUIRED TERMS OF AN ORDER

SEC. 7. (a) Any order issued by the Secretary under this Act shall contain the terms and conditions described in this section and, except as provided in section 8 of this Act, no others.

(b)(1) Such order shall provide for the establishment and appointment by the Secretary of a National Honey Nominations Committee which shall consist of not more than one member from each State, from nominations submitted by each State association. If a State association does not submit a nomination, the Secretary may provide for nominations from that State to be made in a different manner, except that if a State which is not one of the top twenty honey-producing States in the United States (as determined by the Secretary) does not submit a nomination, such State shall not be represented on the Committee.

(2) Members of the Committee shall serve for three-year terms with no members serving more than two consecutive three-year terms, except that the initial appointments to the Committee shall be staggered with an equal number of members appointed, to the maximum extent possible, to one-year, two-year, and three-year terms.

(3) The Committee shall select its Chairman by a majority vote.

(4) The Members of the Committee shall serve without compensation but shall be reimbursed for their reasonable expenses incurred in performing their duties as members of the Committee.

(5) The Committee shall nominate the members and alternates of the Honey Board and submit such nominations to the Secretary. In making such nominations, the Committee shall meet annually, except that after the first annual meeting, when determined by the Chairman, the Committee may conduct its business by mail ballot in lieu of an annual meeting. In order to nominate members to the Honey Board, at least 50 per centum of the members from the twenty leading honey producing States must vote. A majority of the National Honey Nominations Committee shall constitute a quorum for voting at an annual meeting. In the case of a mail ballot, votes must be received from a majority of the Committee.

(c)(1) The order described in subsection (a) shall provide for the establishment and appointment by the Secretary of a Honey Board in accordance with this subsection.

(2) The membership of the Honey Board shall consist of—

(A) seven members who are honey producers appointed from nominations submitted by the National Honey Nominations Committee, one from each of seven regions of the United States which shall be established by the Secretary on the basis of the production of honey in the different areas of the country;

(B) two members who are handlers of honey appointed from nominations submitted by the Committee from recommendations made by industry organizations representing handler interests;

(C) two members who are importers appointed from nominations submitted by the Committee from recommendations made by industry organizations representing importer interests;

(D) one member who is an officer or employee of a honey marketing cooperative appointed from nominations submitted by the Committee; and

(E) one member selected by the Secretary from the general public.

The Committee shall also nominate an alternate or alternates for each member of the Honey Board described in subparagraph (A) through (D), and the Secretary shall appoint an alternate for the member described in subparagraph (E). Such alternates shall

be appointed in the same manner as members are and shall serve only whenever the member is absent from a meeting or is disqualified.

(3) Members of the Honey Board shall serve for three-year terms with no member serving more than two consecutive three-year terms except that the initial appointments to the Honey Board shall be staggered with an equal number of members appointed, to the maximum extent possible, to one-year, two-year, and three-year terms.

(4) In the event any member of the Honey Board ceases to be a member of the category of members from which the member was appointed to the Honey Board, such person shall be automatically replaced by an alternate.

(5) The members of the Honey Board shall serve without compensation but shall be reimbursed for their reasonable expenses incurred in performing their duties as members of the Honey Board.

(6) The powers and duties of the Honey Board shall be to—

(A) administer any order, issued by the Secretary under this Act, in accordance with its terms and provisions and consistent with the provisions of this Act;

(B) prescribe rules and regulations to effectuate the terms and provisions of such an order;

(C) receive, investigate, and report to the Secretary, accounts of violations of such an order;

(D) make recommendations to the Secretary with respect to amendments which should be made to such order; and

(E) employ a manager and staff.

(d) The Honey Board shall prepare and submit to the Secretary, for the Secretary's approval, a budget (on a fiscal period basis) of its anticipated expenses and disbursements in the administration of the order, including probable costs of research, promotion, and consumer information.

(e)(1) The Honey Board shall administer collection of the assessment provided for in this paragraph to finance the expenses described in subsections (d) and (f). For the first year in which the plan is in effect, the assessment rate shall be \$0.01 per pound, with payment to be made in the manner described in section 9. After the first year, the Honey Board may submit to the Secretary a request for an increase in the assessment rate not to exceed 0.5 cent per year, but at no time may the total assessment rate exceed \$0.04 per pound.

(2) A producer or producer-packer who produces, or handles, or produces and handles less than six thousand pounds of honey per year or an importer who imports less than six thousand pounds of honey per year shall be exempt from the assessment. In order to claim such an exemption, a person shall submit an application to the Honey Board stating that their production, handling, or importation of honey shall not exceed six thousand pounds for the year for which the exemption is claimed.

(f) Funds collected by the Honey Board from the assessments shall be used by the Honey Board for financing research, promotion, and consumer information, other expenses as described in subsection (d), such other expenses for the administration, maintenance, and functioning of the Honey Board as may be authorized by the Secretary, any reserve established under section 8(5), and those administrative costs incurred by the Department of Agriculture pursuant to this Act after an order has been promulgated under this Act. The Secretary shall be

reimbursed from assessments collected by the Honey Board for any expenses incurred for the conduct of referenda.

(g) No promotion funded with assessments collected under this Act may make any false or unwarranted claims on behalf of honey or its products or false or unwarranted statements with respect to the attributes or use of any competing product.

(h) No funds collected through assessments authorized by this Act may, in any manner, be used for the purpose of influencing governmental policy or action, except for making recommendations to the Secretary as provided for in this Act.

(i) The Honey Board shall develop and submit to the Secretary, for approval, plans for research, promotion, and consumer information. Any such plans or projects must be approved by the Secretary before becoming effective. The Honey Board may enter into contracts or agreements with the approval of the Secretary for the development and carrying out of research, promotion, and consumer information, and for the payment of the cost thereof with funds collected pursuant to this Act.

(j) The Honey Board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be required for appropriate accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal year.

PERMISSIVE TERMS AND PROVISIONS

SEC. 8. On the recommendation of the Honey Board, and with the approval of the Secretary, an order issued pursuant to this Act may contain one or more of the following provisions:

(1) Providing authority to exempt from the provisions of the order honey use for exporting and providing authority for the Honey Board to require satisfactory safeguards against improper use of such exemption.

(2) Providing that in a State with an existing marketing order with respect to honey, the objectives of which the Secretary determines are comparable to the program established under this Act, there shall be paid to the Honey Board as provided in section 9 that portion of the national assessment which is above the State assessment, if any, actually paid on such honey.

(3) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures.

(4) Providing that the Honey Board may convene from time to time working groups drawn from producers, honey handlers, importers, exporters, members of the wholesale or retail outlets for honey, or other members of the public to assist in the development of research and marketing programs for honey.

(5) Providing for authority to accumulate reserve funds from assessments collected pursuant to this Act to permit an effective and continuous coordinated program of research, promotion, and consumer information, in years when the production and assessment income may be reduced, but the total reserve fund may not exceed the amount budgeted for one year's operation.

(6) Providing for the authority to use funds collected under this Act with the approval of the Secretary for the development and expansion of honey and honey product sales in foreign markets.

(7) Providing for terms and conditions incidental to, and not inconsistent with, the terms and conditions specified in this Act and necessary to effectuate the other provisions of such an order.

COLLECTION OF ASSESSMENT; REFUNDS

SEC. 9. (a) Except as provided by subsections (c), (d), and (e), the first handler of honey shall be responsible for the collection from the producer, and payment to the Honey Board, of assessments authorized by this Act.

(b) The first handler shall maintain a separate record on each producer's honey so handled, including honey owned by the handler.

(c) The assessment on imported honey and honey products shall be paid by the importer at the time of entry into the United States and shall be remitted to the Honey Board.

(d) In any case in which a loan is made with respect to any honey under the Honey Loan Price Support Program, the Secretary shall provide that the assessment shall be deducted from the proceeds of the loan and that the amount of such assessment shall be forwarded to the Honey Board. When such loan is redeemed, the Secretary shall provide the producer with proof of payment of the assessment.

(e) Producer-packers shall pay to the Honey Board the assessment on the honey they produce.

(f) Handlers, importers, and producer-packers responsible for payment of assessments shall maintain and make available for inspection by the Secretary such books and records as are required by the order and file reports at the times, in the manner, and having the content prescribed by the order, so that information and data shall be made available to the Honey Board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of the act or of any order or regulation issued pursuant to this Act.

(g) All information obtained pursuant to subsection (f) shall be kept confidential by all officers and employees of the Department of Agriculture and of the Honey Board. Only such information as the Secretary deems relevant shall be disclosed and only in a suit or administrative hearing brought at the request of the Secretary or to which the Secretary or any officer of the United States is a party involving the order with reference to which the information was furnished or acquired. Nothing in this section prohibits—

(1) issuance of general statements based upon the reports of a number of handlers subject to any order, if such statements do not identify the information furnished by any person; or

(2) the publication by direction of the Secretary, of the name of any person violating any order issued under this Act, together with a statement of the particular provisions of the order violated by such person.

(h) Any producer or importer may obtain a refund of the assessment collected from the producer or importer if demand is made within the time and in the manner prescribed by the Honey Board and approved by the Secretary; except that, during any year, the amount of refunds made to importers, as a percentage of total assessments collected from importers, shall not exceed the amount of refunds made to domestic producers, as a percentage of total assessments collected from such producers. Such refund shall be made by the Honey Board in June and December of each year.

PETITION AND REVIEW

SEC. 10. (a) Any person subject to an order may file, within a period prescribed by the Secretary, a written petition with the Secretary, stating that such order or any provision of such order or any obligation imposed in connection therewith is not in accordance with law and requesting a modification thereof or to be exempted therefrom. Such person shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or carries on business, are hereby vested with jurisdiction to review such ruling, provided a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to the Secretary a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 11 of this Act.

ENFORCEMENT

SEC. 11. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating, any plan or regulation issued under this Act. The facts relating to any civil action authorized to be brought under this subsection shall be referred to the Attorney General for appropriate action. Nothing in this Act shall be construed as requiring the Secretary to refer to the Attorney General violations of this Act whenever the Secretary believes that the administration and enforcement of any such plan or regulation would be adequately served by administrative action under subsection (b) or suitable written notice or warning to any person committing such violations.

(b)(1) Any person who violates any provision of any plan or regulation issued by the Secretary under this Act, or who fails or refuses to pay, collect, or remit any assessment or fee duly required of such person thereunder, may be assessed a civil penalty by the Secretary of not less than \$500 nor more than \$5,000 for each such violation. Each violation shall be a separate offense. In addition to or in lieu of such civil penalty the Secretary may issue an order requiring such person to cease and desist from continuing such violations. No penalty shall be assessed or cease and desist order issued unless such person is given notice and opportunity for a hearing before the Secretary with respect to such violation, and the order of the Secretary assessing a penalty or imposing a cease and desist order shall be final and conclusive unless the affected person files an appeal from the Secretary's order with the appropriate United States court of appeals.

(2) Any person against whom a violation is found and a civil penalty assessed or cease and desist order issued under paragraph (1) may obtain review in the court of appeals of

the United States for the circuit in which such person resides or carries on business or in the United States Court of Appeals for the District of Columbia Circuit by filing a notice of appeal in such court within thirty days from the date of such order and by simultaneously sending a copy of such notice by certified mail to the Secretary. The Secretary shall promptly file in such court a certified copy of the record upon which such violation was found. The findings of the Secretary shall be set aside only if found to be unsupported by substantial evidence.

(3) Any person who fails to obey a cease and desist order after it has become final and unappealable, or after the appropriate court of appeals has entered a final judgment in favor of the Secretary, shall be subject to a civil penalty assessed by the Secretary, after opportunity for a hearing and for judicial review under the procedures specified in paragraphs (1) and (2) of not more than \$500 for each offense, and each day during which such failure continues shall be deemed a separate offense.

(4) If any person fails to pay an assessment of a civil penalty after it has become a final and unappealable order, or after the appropriate court of appeals has entered final judgment in favor of the Secretary, the Secretary shall refer the matter to the Attorney General for recovery of the amount assessed in any appropriate district court of the United States. In such action, the validity and appropriateness of the final order imposing the civil penalty shall not be subject to review.

REQUIREMENTS OF REFERENDUM

SEC. 12. For the purpose of ascertaining whether issuance of an order is approved or favored by producers and importers, the Secretary shall conduct a referendum among those producers and importers not exempt under section 7(e)(2) who, during a representative period determined by the Secretary, have been engaged in the production and importation of honey. No order issued pursuant to this Act shall be effective unless the Secretary determines that the issuance of such an order is approved or favored by not less than two-thirds of the producers and importers voting in such referendum or by a majority of the producers and importers voting in such referendum if such majority produced and imported not less than two-thirds of the honey produced and imported during the representative period. The ballots and other information or reports which reveal, or tend to reveal, the vote of any producer or importer of honey shall be held strictly confidential and shall not be disclosed.

SUSPENSION AND TERMINATION

SEC. 13. (a) Whenever the Secretary finds that any order issued under this Act, or any provisions thereof, obstructs or does not tend to effectuate the declared purpose of this Act, the Secretary shall terminate or suspend the operation of such order or such provisions thereof.

(b) Five years from the date on which the Secretary issues an order authorizing the collection of assessments on honey under provisions of this Act, and every five years thereafter, the Secretary shall conduct a referendum to determine if honey producers and importers favor the continuation, termination, or suspension of the order.

(c) The Secretary shall hold a referendum on the request of the Honey Board or when petitioned by 10 per centum or more of the honey producers and importers to deter-

mine if the honey producers and importers favor termination or suspension of the order.

(d) The Secretary shall terminate or suspend such order at the end of the marketing year whenever the Secretary determines that such suspension or termination of the order is favored by a majority of those voting in a referendum and that the producers and importers comprising this majority produce and import more than 50 per centum of the volume of honey produced and imported by those voting in the referendum.

The SPEAKER pro tempore. Is a second demanded?

Mr. JEFFORDS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas [Mr. DE LA GARZA] will be recognized for 20 minutes and the gentleman from Vermont [Mr. JEFFORDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5358. The bill would enable the producers and handlers of honey and honey products to finance a nationally coordinated research, promotion, and consumer information program designed to expand their markets for honey and honey products.

The program is purely voluntary. Before it can be implemented, it must be approved in a referendum by two-thirds of the producers and importers voting or by a majority of producers and importers voting if such majority produced and imported not less than two-thirds of the honey produced and imported during the representative period determined by the Secretary. To ascertain the effectiveness and continued acceptance of the program, the Secretary would be required to conduct a referendum every 5 years to determine if producers and importers favor the continuation, termination, or suspension of the program.

The bill essentially provides for a self-help program for honey producers and importers. The program would be financed through assessments paid by persons who produce or import at least 6,000 pounds of honey annually and would be operated at no cost to the Government. Provisions are also included in the bill under which producers and importers could obtain refunds of assessments paid by them.

Honey is produced by many individual producers in every State in the United States and in the Commonwealth of Puerto Rico.

The maintenance and expansion of existing honey markets and the development of new markets or uses are

vital to the welfare of honey producers and those concerned with marketing, using, and processing honey. Unfortunately for this important agricultural industry, however, consumer demand for honey and honey products is not as great as it should be.

It has been difficult to develop and implement a coordinated program of research, promotion, and consumer education because the honey production industry is comprised mainly of small- and medium-sized businesses. Without cooperative action in providing for and financing such programs, honey producers, handlers, wholesalers, and retailers are unable to implement badly needed programs of research, promotion, and consumer education.

This legislation would give the honey industry the necessary tools and impetus to launch a national program to this end. All of this would be financed by honey producers and importers at no cost to the Federal Government.

Other agricultural commodity groups have solved similar problems by forming research, promotion, and consumer education programs. The egg, wheat, wool, cotton, and potato industry campaigns have met with much success. These programs bear out the old merchandising proverb: "It pays to advertise." The honey industry, through this legislation, could follow a similar pattern of activity.

Nothing in this act would dictate quality standards for honey, provide for control of its production, or otherwise limit the right of the individual honey producers to produce or market honey.

I urge my colleagues to join me in support of H.R. 5358, as amended.

Mr. JEFFORDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5358, the Honey Research, Promotion, and Consumer Education Act. This bill will give the beekeepers of this country the marketing tools that they need to spur consumption of one of the two truly natural sweeteners with which Nature has blessed us.

This is not a controversial idea or bill. Indeed, the honey industry proposed the program and has requested that Congress authorize it. The Secretary of Agriculture, in keeping with his commitment to industry self-help programs, has endorsed it. The Agriculture Committee recommends its passage.

The bill authorizes the Secretary of Agriculture to issue a marketing order for the promotion of honey if two-thirds of those who domestically produce or import honey approve the order in a referendum. It will permit the assessment of up to 4 cents per pound from those who produce more than 6,000 pounds of honey per year.

It does not require anyone to contribute if he or she chooses not to, and it exempts small producers who have little impact on the market.

I want to commend the industry for coming forth with this proposal. We have a surplus of honey in this country, largely because of the importation of low-cost honey from abroad. While restricting the inflow of this foreign honey is attractive to some, promoting greater consumption is a more far-sighted approach to bringing supply and demand back into balance. Many industries—wheat, cotton, dairy, for example—use promotional programs to market their products. These industries have proven that commodity promotion is effective.

Honey consumption in the United States is only 1.02 to 1.26 pounds per year. Yet, other than pure maple syrup from Vermont, I can think of no other product that functions so well as a sweetener and yet is such a delightful delicacy. I am confident that, if we give the honey industry this tool, they will use it to sweeten us all up a bit.

● Mr. DASCHLE. Mr. Speaker, I rise in support of H.R. 5358, the Honey Research, Promotion, and Consumer Information Act and to compliment the chairman of the committee for his authorship of this legislation. I urge my colleagues to join with me in supporting passage of the Honey Research, Promotion, and Consumer Information Act which will enable the honey industry to finance a national program for expanding existing markets and creating new markets for honey and honey products.

Mr. Speaker, honey producers throughout the Nation and in South Dakota, which ranks sixth nationally in honey production, know well the need for expanding current markets and creating new markets for our honey and honey products. Despite domestic honey production, domestic use, and our exports of honey all remaining relatively constant according to USDA estimates and projections, price depressing honey imports have risen from 49 million pounds in 1980 to 100 million pounds in 1983 resulting in the volume of honey acquired by the Commodity Credit Corporation under the operation of the honey price support program to similarly increase from 6 million to 90 million pounds between 1980 and 1983.

The industry financed program of promotion, consumer information, and research authorized by H.R. 5358, the Honey Research, Promotion, and Consumer Information Act, is not a panacea for the problems now confronting our domestic honey producers caused by price depressing honey import increases. But it will enable domestic honey producers to expand and develop needed new markets for honey. I urge my colleagues to support this leg-

isolation and I again encourage the Secretary of Agriculture to make use of the existing authorities available to him to respond to the problems which have been created by increased honey imports.●

● Mr. EVANS of Iowa. Mr. Speaker, this bill would permit producers and handlers of honey and honey products to finance by assessment a nationally coordinated research, promotion, and consumer information program designed to expand their markets for honey and honey products.

The general provisions of the bill are similar to those enacted for programs established for the eggs, wheat, wool, cotton, and potato industries.

The bill provides that the program, in order to be established, must be approved by two-thirds of the producers and importers voting in a referendum or by a majority of producers and importers voting if such majority produced and imported not less than two-thirds of the honey produced and imported during the representative period determined by the Secretary. The program would be financed through assessments among those producers and importers who produce or import more than 6,000 pounds of honey within a certain period—a year.

The background in which the need for this promotion and research program arises is that in which during recent years an ever-increasing flow of low-cost imported honey has replaced domestic honey in normal trade channels, forcing honey producers to forfeit large amounts of honey to the Commodity Credit Corporation [CCC] under the honey price support program. Or, producers in certain instances entered agreements for the purchase of their honey by the CCC under such a purchase program.

The marketing order, if adopted, would generally contain the following terms and provisions:

First, establishes a National Honey Nominations Committee composed of members from each State based on recommendations submitted by each State association, members to serve not more than two consecutive 3-year terms;

Second, establishes a Honey Board to administer the act, composed of 13 members selected by the Secretary from nominations from producers, handlers, importers, marketing cooperatives, and one from the general public, to serve not more than two consecutive 3-year terms; members to receive no compensation, just travel expenses to meetings;

Third, authorizes the Honey Board to collect an assessment of at least 1 cent per pound from persons who produce or import a volume of 6,000 or more pounds of honey per year, said moneys to fund administration of orders, functioning of the Honey Board, a reasonable reserve fund, and

administrative costs incurred by USDA;

Fourth, authorizes the Board, after the first year, to request the Secretary to increase the assessment rate by not more than one-half cent each year up to a maximum assessment rate of 4 cents per pound of honey;

Fifth, exempts those who produce, handle, or import less than 6,000 pounds of honey per year;

Sixth, prohibits use of funds for false claims on behalf of honey or for influencing governmental policy or action;

Seventh, exempts honey exports from assessment fee;

Eighth, credits against the national assessment State assessments on a comparable program;

Ninth, designates the first handler of honey to collect the assessment from the producer unless the honey is imported, placed under price support loan with the Commodity Credit Corporation, or packed by the producer;

Tenth, allows any producer or importer to request a refund of their assessment;

Eleventh, pegs refunds to importers to an amount not to exceed the amount of refunds made to domestic producers as a percentage of total assessments collected from domestic producers in proportion to total assessments; and

Twelfth, provides for the enforcement of orders and regulations through civil penalties and cease-and-desist orders.

Such order, if adopted, would also provide the following terms and conditions with respect to its suspension or termination:

First, Secretary may terminate or suspend an order when he finds such order obstructs or does not carry out the purpose of the act;

Second, Secretary required to hold referendum every 5 years to determine if honey producers and importers favor continuation;

Third, Secretary must hold referendum upon petition of 10 percent or more producers and importers; and

Fourth, Secretary shall terminate or suspend an order when favored by referendum majority compromised of producers and importers who produce or import more than 50 per centum of the volume of honey.

I favor this legislation for the reason that I believe honey producers should be given the opportunity to decide whether or not they can expand their markets by promotion and research.

The consumption of sugar including caloric, noncaloric, low caloric, and honey since 1975 has not increased much. USDA representatives estimate this consumption per capita in the United States as follows:

Year:	Lbs. Consumption
1975.....	124

	Lbs.
1980.....	132
1981.....	133
1982.....	132
1983.....	133

Meanwhile, as the per capita consumption in the United States is averaging and stabilizing between 1 and 1½ pounds per year, the per capita consumption in other countries is: Germany, 2.6 lbs.; Russia, 1.3 lbs.; Canada, 2.2 lbs.; and Australia, 1.8 lbs.

It appears that consumption of honey and honey products can be increased if innovative methods are adopted for its promotion and research funds are committed to find products wherein its consumption and use will be enhanced.

If the producers and importers opt to reject the order, then so be it. However, they should keep in mind that the committee adopted the following language without objection as to what action the committee would take with respect to honey in the 1985 farm bill:

The Committee takes notice of increasing acquisitions of honey by the federal government under the honey price support program. It is the intention of the Committee to consider alternative solutions to such problems during consideration of the 1985 farm bill.

There is a message in this language for both producers and importers.

I also wish to point out a couple of matters in section 9 that I believe merit special discussion in concluding my remarks.

Section 9(h) provides that honey producers and importers may obtain a refund of the assessment under regulations approved by the Secretary except that during any year, the amount of refunds made to importers, as a percentage of total assessments collected from importers, shall not exceed the amount of refunds made to domestic producers, as a percentage of total assessments collected from such producers.

The committee report accompanying this bill in commenting on this provision states as follows:

For example, if during a six-month period domestic producers request refunds on 10 percent of the volume of honey assessed, then importers may obtain refunds on 10 percent of the volume of imported honey assessed during that period if they so request.

It is my understanding that it is the intent of the committee that if during a 6-month period—refunds are to be made by the Honey Board in June and December of each year—importers request refunds on between 10 to 100 percent of the volume of their honey that was assessed while domestic producers only requested refunds on 10 percent of their volume of honey assessed, then there would be a pro rata refund to the importers based on the 10-percent level established by domestic producers. The principle underlying this rather unique feature of this

promotion program is one of fairness and equity. Inasmuch as domestic producers as well as importers will benefit from the research and promotion, it is only fair that the refunds to importers not be permitted to exceed those to producers otherwise the former might be accorded an unfair competitive price advantage.

Section 9(d) provides that in any case in which a loan is made with respect to honey under the Honey Loan Price Support Program, the Secretary shall deduct from the proceeds of the loan the amount of such assessment that shall be forwarded to the Honey Board. As I understand it, whether the producer forfeits the honey under loan or redeems it by paying off the loan, the refund of the assessment may be applied for by such producer. In the event a producer enters into a purchase agreement with the Secretary obligating the Government to purchase the producer's honey production at the end of the production year—April 30—whether the assessment is collected by checkoff or by direct payment by the producer will be determined by the terms of the order issued by the Secretary under this act, as I again understand it.●

Mr. JEFFORDS. Mr. Speaker, I yield back the balance of my time.

Mr. DE LA GARZA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. DE LA GARZA] that the House suspend the rules and pass the bill, H.R. 5358, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the two bills just previously passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

(Without objection, Mr. HOYER was given permission to address the House for 1 minute and to revise and extend his remarks.)

NANTOU SHIEN GOODWILL MISSION

Mr. HOYER. Mr. Speaker, I would like to take this opportunity to welcome a delegation from the sister county of Prince Georges County, which I represent, Nantou County in the heartland of Taiwan. We are

indeed honored to have them as our guests, and enjoy this opportunity to show them our vision of the Capitol.

Nantou County is a place of great natural beauty; its people known for their quiet independence and great affinity for their country. In 1981 then County Executive Lawrence J. Hogan signed an agreement establishing the "sister county" relationship with Nantou. Since that time we have had numerous opportunities to exchange views on trade, cultural, economic, and social possibilities. I look forward to many more years of such constructive interchanges and welcome the members of this delegation today.

My greetings go to magistrate Wu den-Yih, Mrs. Wu and their son, T.W. Wu; speaker Wu Chung-Fa and Mrs. Wu; Mr. and Mrs. Pan Chung; Mr. and Mrs. Tsai Ho-Shien; Mr. and Mrs. Wei Ching-Pin; Mr. and Mrs. Lee Ying-Cheng; Mrs. Lin Chen Tsai-Fong; Mr. Chen Yap-Chuan; Mrs. Lin Chang Wen-Ing; Mr. Hsu Gwo-Bin; Mr. Lin Yu-Shiang; Mr. Chang Chun-Chuan; Mr. Yang Chien-Chung; Mr. Yeh Wei-Jenn; Mr. Tsai Shao-Nan; Mr. Hsu Ching-Tien; and Mr. Wei Lien. These men and women, elected officials, members of the county and local governments, a member of the press, and of the KMT Party, will go far in bringing about a mutual prosperity between our two counties.

PUBLIC BROADCASTING AMENDMENTS ACT OF 1984

Mr. BEILENSEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 521 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 521

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5541) to amend the Communications Act of 1934 to extend certain authorizations of appropriations contained in such Act, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and each section shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in

the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILENSEN] is recognized for 1 hour.

Mr. BEILENSEN. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from Missouri [Mr. TAYLOR] pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 521 is a 1-hour open rule providing for the consideration of H.R. 5541, the Public Broadcasting Act Amendments of 1984.

The rule provides that the 1 hour of general debate shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and that it shall be in order to consider the amendment in the nature of a substitute now printed in the bill as original text for purpose of amendment under the 5-minute rule. The rule also provides that each section of that substitute shall be considered as having been read.

In addition, the rule provides that when the bill is reported back to the House, any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute. The rule also provides for one motion to recommit. With or without instructions.

Mr. Speaker, H.R. 5541 authorizes appropriations for the Corporation for Public Broadcasting for fiscal years 1987 through 1989. The funding levels recommended by the Committee on Energy and Commerce are higher than those requested by the administration. But the funding levels in the bill are consistent with continued good programming on public broadcasting stations. Over the past few years, public broadcasting has made major efforts to supplement declining Federal revenues through other fundraising activities. Yet, despite these efforts, public broadcasting has experienced substantial funding shortfalls and a number of significant and popular programs have been forced off the air or have been considerably scaled back. Without these increased funding levels, we cannot expect to maintain the level of quality programming we have become accustomed to on the public broadcasting system.

Mr. Speaker, this is an open rule and any germane amendment, including cuts in recommended funding levels, can be entertained under the rule.

I urge adoption of the rule and adoption of H.R. 5541.

□ 1440

Mr. TAYLOR. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, House Resolution 521 is an open rule under which the House will consider legislation that effectively triples the budget for public broadcasting and offers yet another example of how we are failing to restrain our spending habits.

The legislation made in order by this rule, H.R. 5541, is a classic example of our authorization process gone astray. The bill authorizes \$761 million in appropriations for the Corporation for Public Broadcasting for the 1987, 1988, and 1989 fiscal years.

This amount is three times more than the administration's requested budget of \$255 million for the 3-year period.

Mr. Speaker, only 3 years ago the Congress reduced the authorizations for the Corporation for Public Broadcasting from \$220 million to \$130 million each year in 1984, 1985, and 1986.

The Committee on Energy and Commerce is apparently not content to leave well enough alone, even though we enacted a supplemental authorization which raised the appropriations levels for 1984, 1985, and 1986 to \$145 million, \$153 million, and \$162 million, respectively.

Under this rule, the Energy and Commerce Committee substitute will be read for amendment by sections. The committee amendment is open for amendment under the 5-minute rule, and amendments will be necessary if the Congress is to do anything about the massive increases in Federal funding authorized in this bill.

Mr. Speaker, despite the controversy over the unrestrained spending in this bill, there is no controversy about this rule. I support the adoption of the rule, and since I have several requests for time, I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I have no requests for time on this side.

Mr. TAYLOR. Mr. Speaker, since those who have requested time have not appeared, I yield back the balance of my time.

Mr. BEILENSEN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 521 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5541.

□ 1444

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the

Whole House on the State of the Union for the consideration of the bill (H.R. 5541) to amend the Communications Act of 1934 to extend certain authorizations of appropriations contained in such act, and for other purposes, with Mr. GLICKMAN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Colorado [Mr. WIRTH] will be recognized for 30 minutes and the gentleman from North Carolina [Mr. BROYHILL] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado [Mr. WIRTH].

Mr. WIRTH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 5541 authorizes funds for CPB for fiscal years 1987, 1988, and 1989 at levels of \$238 million, \$253 million, and \$270 million respectively. H.R. 5541 also authorizes the Public Telecommunications Facilities Program for fiscal years 1985, 1986, and 1987 at \$50 million, \$53 million, and \$56 million respectively. These funding levels are identical to those included in Senator GOLDWATER's bill, S. 2436, which was recently passed by voice vote by the full Senate.

Additionally, this bill clarifies CPB's flexibility and responsibility in the use of funds appropriated to it under the allocation formula of existing law. H.R. 5541 also repeals the so-called unrelated business income penalty, which is a clear disincentive to stations developing alternative sources of revenue. Finally, H.R. 5541 eliminates the requirement that a strict 75 percent of Public Telecommunications Facilities Program funding be used for unserved areas of the country, although bringing service to unserved areas will remain a priority of the program.

H.R. 5541 was reported from the Subcommittee on Telecommunications, by a bipartisan vote of 14-2, from the Full Energy and Commerce Committee by voice vote, and as I pointed out, a similar bill sponsored by Senator GOLDWATER was passed by the Senate by a voice vote. Public broadcasting is currently at a critical crossroads—it is striving valiantly to fulfill its mission as a provider of diverse and excellent programming while, at the same time, facing unprecedented financial constraints.

The authorization for the system was slashed some 40 percent in 1981. At that time, we had hoped that diminishing Federal funding could somehow be replaced by other sources. The results have not been very encouraging. State and local funding has been

similarly cut. Grants from the National Science Foundation and the Department of Education have all but disappeared. Subscriber support, and corporate contributions have plateaued.

Unfortunately, what we were forced to do in 1981—shrink Federal support—has translated into severe cutbacks in programming and has caused immense strain on the system, because the hoped-for alternative revenue sources have not significantly developed. Federal cuts have resulted in many stations having to reduce staff and programming hours, and eliminate local programming. Even the heart of the public television schedule—"Frontline," "Great Performances," and "Playhouse"—have been forced to cut production by 20 percent. "Late Night America" has been canceled, and even "The Lawmakers" has gone out of production for lack of funding.

Similarly, production of children's programs on public television, which unfortunately is the only real source of enriching programming for youngsters, has been subject to sharp cutbacks. The upcoming "Wonderworks," as well as "Reading Rainbow," have been cut 50 percent and 30 percent respectively. Moreover "Sesame Street," a true educational marvel, must now rely for two-thirds of its programming on reruns of previous segments. Beyond production, many local stations are so financially strapped that they cannot afford to buy many important programs.

Although we recently authorized a modest cost of living increase for the system, it is still only a band-aid applied to a hemorrhaging financial situation.

As the minimum amount of Federal funding necessary to restore the level of programming and services provided by public broadcasting, it is imperative that we adopt the funding levels of \$238 million for fiscal year 1987, \$253 for fiscal year 1988, and \$270 for fiscal year 1989. The final figure represents an average annual increase of only 3.47 percent from the \$220 million originally authorized for 1983. Since inflation will probably average this or higher, \$270 in fiscal year 1989 is no higher (and possibly less) in real terms than was originally authorized for 1983. Thus, these authorization levels represent a fiscally responsible return to a sound financial foundation which will enable public broadcasting to provide programming of excellence and diversity.

H.R. 5541 also authorizes funding for the Public Telecommunications Facilities Program (PTFP) at \$50 million for fiscal year 1985, \$53 million for fiscal year 1986, and \$56 million for fiscal year 1987. PTFP, administered by the Department of Commerce, provides matching grants for

planning and construction of public broadcasting facilities so that the benefits of our Nation's public broadcasting system can reach more Americans.

In 1981, Congress enacted sharp reductions in PTFP from \$40 million authorized in fiscal year 1981 to about \$12 million, which is authorized for fiscal year 1984. Consequently, the current level of funding for the program threatens to severely undermine the goal of assuring that all Americans—who pay for the system through their tax dollars—have access to the benefits of the system.

The administration, as it has done every year, has proposed abolishing PTFP, on the grounds that the program has fulfilled its goals. This pre-supposition totally ignores the facts:

Thirty percent of the country cannot receive public radio signals;

Ten percent of the public and large geographic areas, particularly in rural areas, cannot receive a local public television signal;

There is no local service in the State of Montana and 15 percent of Missourians do not receive public television signals. Similar problems exist in Arizona, Nevada, Hawaii and Alaska, and large areas of the South.

Moreover, a severe problem is developing concerning the preservation and maintenance of existing equipment: many transmitters are so old that stations must go off the air for extended periods of time when they break, or malfunction.

In fiscal year 1984, only \$11.88 million was appropriated for PTFP. However, last year's 324 grant applications requested a combined total of \$72 million in funds, backed by an impressive commitment of nearly \$30 million in local funds. Thus, only 14 percent of the applications could be granted.

The funding authorized here will bring PTFP more in line with the demonstrated need for the program. The levels in this legislation will ensure fairness to all Americans, by making important, and diverse cultural and educational programming available to the entire Nation.

I urge my colleagues to join me in supporting this important funding measure.

□ 1450

Mr. BROYHILL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, at the very time that there is so much concern in this Congress and around the country about the size of our Federal budget deficit, this bill proposes to make the problem worse by granting very significant increases—probably unprecedented increases—in Federal support for the Nation's public broadcasting outlets. No matter how you look at the funding levels provided by this bill, the increases are phenomenal. The bill proposes to go from \$162 million in 1 year

for one particular program, to \$238 million for the very next year. That is an increase of almost 50 percent in a single year.

The bill proposes to increase the Federal support for another public broadcasting program from \$12 million in 1 year to \$50 million in the next year—an increase of more than 400 percent in a single year.

Altogether, this bill authorizes Federal spending which totals \$920 million. When we compare the \$920 million authorized by this bill with what was spent in the same programs during the most recent period, the comparison is shocking; \$920 million in this bill, and \$507 million during the most recent period of equal length. That is 81 percent more money.

Just a few months ago, this House passed a budget resolution which stood firmly in favor of exercising restraint in Federal spending. The budget resolution approved by this House recommended an overall increase in domestic Federal spending of only 3.5 percent per year. For public broadcasting, the budget resolution proposed a freeze on current levels of spending.

Compare the budget resolution with this bill. While the budget document urged no spending increase for public broadcasting, this bill recommends massive increases—50 percent in one program from one year to the next, more than 400 percent in another program from one year to the next.

Congress cannot have it both ways. Our Federal Government faces a serious budget problem. It simply will not do for this House to pass a budget resolution that purports to cope with this problem by proposing a freeze on spending and then, when it comes to actually implementing the budget resolution, to pass legislation that proposes massive increased spending authority.

Now let's look a little bit at the purported justification for the big spending increases in this bill. First, public broadcasters claim that their revenues from non-Federal sources are drying up. But that simply is not true according to the public reports that the corporation for public broadcasting has itself made available. The fact is that non-Federal revenues have increased consistently from one year to the next by 12 percent to 16 percent in each of the past 10 years. Moreover, the corporation for public broadcasting has projected that significant additional increases in non-Federal revenues will occur during each year in the foreseeable future.

Public broadcasters also claim that they will have to discontinue broadcasting certain programs unless Congress grants these big funding increases. But, I would venture to say that for every program that public broadcasters will eliminate, they will

add a new one. Program schedules always change, reflecting changing tastes. Program schedule changes do not necessarily reflect hard times. It seems to me to be unfair for broadcasters to hold certain programs hostage to substantially higher Federal funding.

I don't mean to suggest that public broadcasting stations could not broadcast more programming if they had substantially more money. Of course they could. All Government programs, theoretically, could do more with more resources.

All I am trying to say is that the massive new funding provided by this bill is too much. It is a bigger increase than almost any other program in the Federal budget.

Moreover, I have got to be honest with you and say that I have some lingering suspicion that public broadcasting stations are not the most efficiently managed entities. If you look closely at the public broadcasting station line-item, expenditures, there is some evidence of inefficient management. For example, recently published statistics show that public broadcasting stations—both radio and television stations—pay their employees higher salaries than commercial radio and television stations. If public broadcasting is in such financial straits, why do they insist upon paying their employees more than their commercial station counterparts?

During the amendments stage of our debate, Congressmen OXLEY and FRENZEL will offer two proposals to restore some responsibility to the funding of public broadcasting. Mr. OXLEY will offer an amendment that would grant public broadcasting a 15 percent increase in Federal spending authority during each of the next 3 years. This is three times the expected inflation rate, and surely it is enough to let public broadcasters squeak by. Mr. FRENZEL will offer an amendment to authorize a smaller increase than that proposed by Mr. OXLEY. I understand that Mr. FRENZEL's amendment will propose a 3.5-percent increase, which after all was in line with the increases recommended by the House for almost all domestic programs in its own budget resolution.

I urge my colleagues to look carefully at both of these amendments. Both amendments allow for significantly increased Federal spending for public broadcasting while restoring a sense of responsibility.

In short, I urge my colleagues to reject the monumental increases in Federal funding provided by this bill and to support amendments that will provide more responsible funding increases.

Mr. Chairman, at this time I yield 3 minutes to the gentleman from Virginia [Mr. BILEY].

□ 1500

Mr. BLILEY. I thank the gentleman from North Carolina for yielding this time to me.

Mr. Chairman, let me first make it clear that I am not opposed to public broadcasting and Federal funding for public broadcasting. But as my colleague, the gentleman from North Carolina, has pointed out, in this time when we hear so much about Federal deficits, and I pledge to my colleagues that during the course of the next 100 days we will hear even more about massive Federal deficits, this is not the time to be going way over budget in increasing funds for any—for any—activity, and in particular for this one.

How can we look our senior citizens in the eye just after having passed a tax bill which will cut back on medicare payments, and then at the same time, in the next breath, come in and pass this legislation at this funding level. It once again points out, to me at least, the skewed priorities of this body.

I would hope that when the gentleman from Ohio later offers his amendment to reduce the funding for this activity that it will be the pleasure of my colleagues to support that amendment and to pass a public broadcasting bill, but to do so at a more modest funding level.

With that, Mr. Chairman, I yield back the balance of my time.

Mr. WIRTH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there has been discussion about this dramatic increase, and there will be, I believe, one amendment offered to this allegedly dramatic increase, and there will be one amendment offered on that situation.

Let me again point out, as I did in my opening statement, what the facts of the matter are. The facts of the matter are that the increase that we are asking for in the authorization level is an average of 3.4 percent, 3.4 percent between 1983 and 1987. That is below the level of inflation.

Let me also point out that the recommendation that this increase be there was initially made by the Temporary Commission on Alternative Financing which, following the 1981 dramatic cuts in public broadcasting, looked very carefully at alternative sources of funding. Those alternative sources of funding have not been found to be available and, therefore, the bipartisan Temporary Commission came back to the Congress and said, "We have to have this increase."

So I would point out to my colleagues, and this will come up again in the debate over the funding levels, the authorization levels, that the funding level is 3.4 percent.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I would be happy to yield to the gentleman from Massachusetts.

Mr. CONTE. I thank the gentleman for yielding.

Mr. Chairman, once again, I am pleased to be able to stand in this well in support of an increase in authorization levels for the Corporation for Public Broadcasting. And, once again, attempts are going to be made on the floor to reduce the authorization level below that in the bill. I feel, however, that I must support the committee bill.

Mr. Chairman, funding for the Corporation for Public Broadcasting is a good investment. It is one of the best investments that the Federal Government can make because it helps to educate our people, it provides quality television programming—expanding to all areas of the Nation. But more expanding needs to be done.

Last year, I mentioned that the public broadcasting station in western Massachusetts has 380,000 viewers each week, with 70 percent of the shows devoted to children's television programming. I said that public broadcasting is the only consistent outlet for educational television programming, and the reductions in funding which we enacted in 1981 are jeopardizing the quality of public broadcasting.

If we do not increase these authorization levels, public broadcasting stations will be forced to continue the pattern of reduction and elimination of programs, hours of broadcast, staff and other services. My Labor/Health and Human Services/Education Appropriations Subcommittee received testimony that in one State, 24-hour broadcast days were reduced to 16 hours, local production has been cut in half, Saturday and Sunday morning television programming has been eliminated, and some cannot afford to come on the air until 4 p.m. each weekday. Scheduled decreases of Federal support will require public stations to pursue deeper cuts.

Now, there is much mention made of an alternative financing study for public broadcasting stations. Although the initial studies appeared to be successful, more remains to be done. Even if the studies underway culminate in a long-term plan for alternative financing, implementation of the current schedule of authorization reductions means that irreparable damage will already have been done to public broadcasting before supplemental financing might materialize.

Finally, let me say this to my friends on my side of the aisle who are upset about the funding increases in this bill. The other body has already passed an authorization for the CPB that equals the levels in this bill. Over half of the other body had cosponsored the bill, and it passed by voice

vote—no objections—by unanimous consent. I hope that we can support this bill, pass it, and help public broadcasting stations achieve their important goals.

Mr. WIRTH. I thank the gentleman for his valuable support. This is a bipartisan bill. It was reported out of the subcommittee by a 14 to 2 vote, reported out by a voice vote from the full committee.

We have always had for public broadcasting, as the gentleman from Virginia [Mr. BLILEY] suggested, very, very broad support and I would hope that we would not falter today in the support by the House for public broadcasting.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I would be happy to yield to the gentleman from Maryland.

Mr. HOYER. I thank the chairman for yielding.

Mr. Chairman, I want to say a few words while the ranking member of the subcommittee on which I serve on the Committee on Appropriations, the Subcommittee on Health and Human Services and Education is on the floor. I am glad Mr. CONTE is here because he and I share a concern, which I think the chairman of the subcommittee shares as well.

In the gentleman's opening statement, he referenced a number of programs which were being shut down, production was being stopped for lack of further funding. One of those programs which was listed was "The Lawmakers," program that, from my own personal view, is probably one of the most in-depth communications to the American public as to what really happens in Congress, as opposed to a 2- or 3-minute news squib.

I am wondering whether or not there is any possibility in the short term and long term for a program like that to survive. I have been told such a program is not the commercially most enthusiastically accepted but I believe nevertheless one that is critically important. What does the gentleman think the prospects are for further funding of that particular program, or similar programs, would be?

Mr. WIRTH. I thank the gentleman for his concern, which I share, and I believe it is shared by many, many of our colleagues. I do not want to speak for the gentleman from Massachusetts, but he has spoken to me about it, the chairman of the appropriations subcommittee has spoken to me about it, and many Members of the Congress on both sides of the aisle, and many members of the leadership have spoken to me about it.

The Congress has got to be, as the gentleman is aware, extremely careful of not placing ourselves in any kind of a position of dictating or line iteming,

or whatever, what kind of programming is on public broadcasting. We went through that, it will be remembered, during the early 1970's when, in fact, there was an attempt politically to punish public broadcasting for various kinds of funding that was going on, which was a direct violation of the first amendment, a direct violation of our long-term commitment to stay out of specific programming.

That is why we advance fund this, so we have that kind of buffer of 2 or 3 years and there is no way of getting a handle on public broadcasting politically.

Having said that, I agree with the gentleman completely that "The Lawmakers" does provide a very sound and in-depth coverage. Both the Corporation for Public Broadcasting and WETA, the local station here that is responsible for the production of "The Lawmakers," are committed to the survival of the show and to the coverage of the Congress, and we have all had extensive discussions with them about the overall coverage of this important area.

Because of lack of funding, WETA has taken "The Lawmakers" off the air and hopes now that it will be able to gain sufficient funding in the future from CPB, from other stations, and from underwriters to put the program on sound financial footing and to return it in January. They had felt that with the two conventions and then with the election campaign, and so on, that if they took the program off now, this would give them a 6-month period of time in which to put together the proper financial package for "The Lawmakers." So they are working very hard to attempt to do this.

I think any discussion that we have to encourage in any way possible the funding of that program from outside sources would be good, but again, we have to be extremely careful not to have it appear that there is any political interference in programming, whether it is "The Lawmakers," or news programs, or anything else.

Mr. HOYER. If the gentleman would yield further, I appreciate the gentleman's answer and understand the principle for which he speaks with reference to the relationship of the Congress to the programming aspects of CPB.

At the same time, I think as public officials, in terms of the purpose that public broadcasting serves, one of which is certainly providing a window to the people's Government, to the people's House and to the other body as to exactly what goes on here as we transact the people's business. I think that is a critically important function, and one about which we ought to be concerned, and I know the ranking member shares my view on that.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I will be happy to yield to the gentleman from Massachusetts.

Mr. CONTE. I thank the gentleman for yielding.

Mr. Chairman, I agree with the gentleman from Maryland, and I also agree with the gentleman from Colorado. That was the reason why when we enacted the public broadcasting we had forward funding in it, because we did not want any political interference in it.

"The Lawmakers" program began in 1980, I believe, and it has been one of the most successful programs. It puts us in a very difficult position as Members of Congress to try to get up here and even speak about it, but I think we have to speak about it. We are not trying to exert our muscle, or anything else. We are saying "The Lawmakers" is an excellent program, it has a tremendous amount of following, and now, with this increased authorization, I hope public broadcasting will take that into consideration. They need about \$800,000, I understand, to continue the program until January if this goes through.

□ 1510

Then we can take care of the money part in the Appropriations Committee which we have not put into our subcommittee. But we also hope that they give this very, very serious consideration and give "The Lawmakers" very, very serious consideration and continue that worthwhile program. It is about the only program that I see in public broadcasting or commercial broadcasting which really gives a fair break to the Congress in reaching the American public.

Mr. WIRTH. Mr. Chairman, I appreciate the gentleman's comments. I understand we are saying that we think this is symptomatic of the "Lawmakers" problem and is symptomatic of the funding problems that exist for public broadcasting, for "Sesame Street," "Playhouse," "The Lawmakers," "Reading Rainbow," and the whole series of very good substantive programs that are having a difficult time.

I do not know if I mentioned that the Eastern Education Network, which is a consortium of public broadcasting stations, has passed a resolution committing it to the support of "The Lawmakers." With NETA's commitment and with CPB, we are trying by January to see if that kind of support can be there, and I am very hopeful we will be able to find public support for "The Lawmakers."

Mr. SWIFT. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I am happy to yield to the gentleman from Washington.

Mr. SWIFT. Mr. Chairman, I share the gentleman's sensitivity to the need

to keeping insulation for public broadcasting from political influence. Having said that and meaning that, I think it is also important to recognize that this legislative process of ours is frequently difficult for us to understand, and the citizen out there, trying to inform himself of the issues of the day, has precious little opportunity to see in-depth analyses of what is going on in this institution. "The Lawmakers" has done a superb job of doing precisely that.

Perhaps some lawmakers standing up and saying they should do a program about lawmakers may seem self-serving, but I think what we are all saying is that the public has an extraordinarily difficult time knowing what we are doing, even with all the media covering this institution, sometimes not very well and sometimes with a depth of about a quarter of an inch.

"The Lawmakers" has done an excellent job, and it is a shame that there is not adequate funding so that that kind of program can be continued for the benefit of all the public.

Mr. Chairman, I thank the subcommittee chairman for yielding.

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I am happy to yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, I thank the chairman of the subcommittee for yielding.

If someone were to be watching this particular dialog today who was not particularly schooled in what was happening, it seems to me the inference may very well be that to make certain that "The Lawmakers" is placed back on the schedule one would have to see this particular bill pass and become law and, therefore, be in the appropriation after that.

I am sure the chairman of the subcommittee did not want to leave the impression with the Members of the House nor with the general public that this is really an ad hominem discussion about the merits of "The Lawmakers" program and certainly not to be tied to the success of this bill in any way.

Mr. WIRTH. Mr. Chairman, if the gentleman will yield back, I think the reference is to "ad programinem" and not to "ad hominem."

I am happy to yield further to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, I will let that pass.

But I think we ought to make it very clear that the discussions that the gentleman from Maryland brought up, and I think very adequately, certainly should not be reflected on whether in fact this particular piece of legislation should pass in this House today. I think that we ought to make that very clear on the record.

Mr. WIRTH. Mr. Chairman, I thank the gentleman for his comments, and I would make it very clear on the record that the Congress does not authorize any particular program or suggest we not have any particular program. However, the level of funding we are talking about is symptomatic of the very deep problems that public broadcasting has in programming and in facilities overall, and this happens to be a symptom of the deep problems facing public broadcasting.

I would hope that most of my colleagues would band together in support of public broadcasting, as we have in the past, and would not flag in our commitment to public broadcasting.

Mr. HOYER. Mr. Chairman, would the subcommittee chairman yield for just 1 additional minute?

Mr. WIRTH. I am happy to yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, in following up on what the ranking minority member said and what the subcommittee chairman said in response, it is, of course, true that this is not an issue as to whether or not this bill has merit. I think this bill has merit, and I am going to support it.

Mr. WIRTH. Mr. Chairman, if the gentleman will yield back very briefly, this bill was put together before the problems of "The Lawmakers" came up. Therefore, we would have been considering this bill even had "The Lawmakers" not run into a problem. This is just a further emphasis of the need for this particular legislation.

Mr. Chairman, I thank the gentleman, and I yield further to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, the point of the subcommittee chairman's is accurate and well taken. I would reiterate that there is a 1984 supplemental bill pending which provides \$15 million extra for fiscal year 1984, for \$23 million extra for fiscal year 1985, and for \$32 million for fiscal year 1986, for a total of \$70 million additional to that already appropriated to try to meet the problems of shortfalls of which the subcommittee chairman spoke which require this closing down of production levels.

I would hope that because of the moneys we are making available hopefully in the near future, we could move in the direction of trying to reestablish production lines on a definite long-term basis.

Mr. WIRTH. Mr. Chairman, absolutely, the gentleman is correct.

We certainly appreciate the great support of the Appropriations Committee and its distinguished chairman and ranking minority member. We thank them for their support of public broadcasting. They have been extraordinarily helpful in the past. This inflation increase agreed to by the other body and agreed to, I hope, by all of

here will be a step toward insuring the stability of public broadcasting.

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I am happy to yield to the gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, just in closing the discussion, I think it is very important, as I pointed out, to recognize that someone perhaps more cynical than this gentleman would see the timing of the decision to take "The Lawmakers" off the air is some effort at trying to provide some kind of undue pressure.

Mr. WIRTH. Mr. Chairman, if the gentleman will yield back briefly, I do not think any one of us agrees with that view.

Mr. OXLEY. I would certainly hope not, but I think one has to look at when the program started in 1980, and even with the draconian cuts the gentleman from Colorado talked about, the program was able to air through those particular years during those supposed drastic cuts, and I think one has to wonder about the timing of the announcement.

Mr. WIRTH. Mr. Chairman, if the gentleman would yield back, I just think it is inappropriate to suggest that of "The Lawmakers." After all, in this bill, as the gentleman knows, we are talking about a 1987 authorization, with a crisis for some programs for 1984. That is a long, long way away.

The CHAIRMAN. The Chair wishes to point out that the gentleman from Colorado [Mr. WIRTH] has 9 minutes remaining.

Mr. WIRTH. Mr. Chairman, I yield such time as he may consume to the chairman of the full committee, the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I thank the distinguished chairman of the subcommittee, the gentleman from Colorado [Mr. WIRTH].

Mr. Chairman, I would like to commend my good friend, the gentleman from Colorado, and my distinguished colleagues, the gentleman from Washington [Mr. SWIFT] and the gentleman from Iowa [Mr. TAUKE], who served on the bipartisan Temporary Commission for Alternative Financing for Public Telecommunications. That was a body which did, I think, outstanding work and which made it plain that there is really no way that we can anticipate sufficient increases in funding from private sources to compensate for the cuts in Federal funding for the Corporation for Public Broadcasting and for public broadcasting which have occurred in recent years.

I would observe that the bill that is before the committee today is an excellent one. It has strong bipartisan support. It came from the Committee on Energy and Commerce by voice vote, and it is substantially identical in amount of money authorized to that

which one will find in the Senate bill which has already passed the Senate and which has 56 cosponsors, about evenly divided on both sides of the political aisle.

I would observe that the level of funding in this bill will by 1989 not even fully restore this Nation's public broadcasting endeavor to the level of funding which existed for the Corporation for Public Broadcasting in 1982. In real dollars, there is in 1989 no increase in funding for the Corporation for Public Broadcasting.

As the House has already heard, funding for public broadcasting was cut drastically as part of the 1981 Reconciliation Act on the grounds that all programs should share the burden of bringing Federal spending under control. The House agreed with this but did so with an important understanding in mind: That appropriate alternative sources of financing would be available in sufficient amounts to prevent public broadcasting services, programming and coverage from deteriorating significantly. To emphasize this, the Reconciliation Act simultaneously created the bipartisan TCAF to investigate alternative sources of financing and to report back to Congress on the appropriate long-term role of various types of funding, including Federal financing. Last October the TCAF submitted its report to Congress. The Commission concluded that a number of alternative sources of income are or could be useful supplements to traditional financing and should be encouraged; but none, whether separately or combined, has the potential to replace Federal funding or compensate for its reduction. The recommendation was clear and unequivocal: By all means take steps to encourage alternative income sources—but if you really want to ensure a sound, high quality public broadcasting system there must be a solid foundation of Federal financing.

H.R. 5541 is designed to provide just that. The authorization levels are adequate but not excessive—by 1989 they will merely restore public broadcasting to the same level in real dollars originally authorized in 1978 for the fiscal year 1983. As to encouraging alternative sources, some of the TCAF's recommendations have been or are being dealt with at the FCC—such as allowing enhanced underwriting. Another recommendation, repeal of the unrelated income tax penalty, is included in H.R. 5541.

Restoration of public broadcast financing to a sound, responsible footing will, if the House acts today, come none to soon. Since 1981, public broadcasting has been under severe and increasing pressure. Despite enormous effort by public broadcasting, corporate and private donations have not come close to replacing lost Federal

funds. Public broadcasting has been able to avoid complete collapse by living off its existing capital. But this cannot go on much longer. Its equipment is wearing out, its existing stock of programming is exhausted and new programs are being canceled or not even started. It is imperative that we take steps now to restore sound financing for the latter part of the decade or public broadcasting as we have come to know it will simply disappear by the end of the decade.

I would observe that public broadcasting is a necessary and an essential part of our information education, and telecommunications system. It is a part which enriches and lends quality to American life, and I would urge my colleagues to support the legislation.

Mr. Chairman, first, I'd like to compliment the Chairman of the Telecommunications Subcommittee for his fine work on behalf of public broadcasting. Second, I'd like to give special thanks to two Members of this House, Mr. SWIFT and Mr. TAUKE, who served in the bipartisan Temporary Commission on Alternative Financing for Public Telecommunication [TCAF]. This bill is largely based upon the recommendations which the TCAF made after a careful and thorough study of the issues. Last, and perhaps uncharacteristically for me, I'd like to commend the Senate for its strong bipartisan support for sound Federal funding for public broadcasting. S. 2436, which is virtually identical to H.R. 5541 and has the same level of authorization, was introduced by Senator GOLDWATER on March 19, 5 weeks before H.R. 5541. It passed the Senate by voice vote on June 15, by which time it had 56 cosponsors representing the entire spectrum of both parties in the Senate.

The CHAIRMAN. The Chair will state that the gentleman from Iowa [Mr. TAUKE] has 21 minutes remaining, and the gentleman from Colorado [Mr. WIRTH] has 7 minutes remaining.

Mr. TAUKE. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Chairman, I thank the gentleman from Iowa for yielding me this time.

I would simply point out in response to the remarks of the gentleman from Michigan [Mr. DINGELL], the chairman of the full committee, that the financial projections for public broadcasting for the years 1987, 1988, and 1989 show substantial potential increases in non-Federal income. I might quote from those figures that came directly from the Corporation for Public Broadcasting. In 1987 they projected from a source of \$640 million in 1982 up to \$906 million in 1987, \$974 million in 1988, and in 1989 over \$1 billion in non-Federal income.

□ 1520

That hardly seems an inadequate amount of non-Federal income from those particular sources. The fact is that over the years, and I have supported public television, I happen to be a subscriber to public television and a member, but the fact remains of the inability of many of the local stations to attract enough membership and to attract enough contributions to keep their non-Federal income increasing over their efforts.

I have seen figures, for example, to indicate, Mr. Chairman, that 1 out of every 10 persons who watches public television actually is a member or actually contributes to that system. I would dare say that is hardly a ringing endorsement for public broadcasting in this country, if you can get only 1 out of 10. In our business, if you only get 1 out of every 10 votes, you are not going to win too many elections; and yet that is exactly what has happened in public broadcasting.

The fact is also, as was demonstrated in the testimony in the subcommittee as well as the committee from the various members that the opportunity for outside income for those stations has basically been ignored. There was an experiment to provide for limited advertising. It worked very well in Chicago. We had a gentleman from the public television station in Chicago tell us that it worked quite well for them and they had raised over \$3 million in a 9-month period during that particular time, to give them an opportunity at some alternative ways of funding besides coming back to Uncle Sam and asking the taxpayer to ever increase the amount of money we spend on public television and public radio.

I think the facts really speak for themselves. The leadership of public broadcasting came in and simply said: We reject any opportunity even on an experimental basis to continue the option of getting income from outside sources. We are simply coming to the Congress and asking for this tremendous increase.

Fifty percent in the first year, and if you look at the overall figures for the 3-year period, it is an 81-percent increase in the authorization.

The gentleman from North Carolina [Mr. BROYHILL] was absolutely correct when he said that we have heard a lot of rhetoric, particularly last week about the Federal deficits, and the first thing we do when we come back here to Washington is to increase the authorization level for the Corporation for Public Broadcasting by 81 percent over a 3-year period.

We simply have not recognized what fiscal responsibility is and we are continuing to go on our merry way ignoring the real facts of what lies before us.

Mr. WIRTH. Mr. Chairman, will the gentleman yield?

Mr. OXLEY. I would be glad to yield to the gentleman from Colorado.

Mr. WIRTH. I thank the gentleman for yielding.

We will, I am sure, get into a significant amount of debate on the numbers and the figures and so on which we have done in the subcommittee and in the full committee and I look forward to that.

Right now I just want to take the opportunity to say that the chairman of the full committee, the gentleman from Michigan [Mr. DINGELL], had just commented on the need for this legislation and I wanted to just thank the gentleman from Michigan [Mr. DINGELL] for his great help both on the increase, the cost-of-living increase that we did some time ago for public broadcasting to help it out in the short term and for his constant and consistent support over all for the public broadcasting system.

I would hope again that all of my colleagues would help in making that investment in public broadcasting and in our future.

I thank the gentleman for yielding and look forward to extensive discussion of these numbers in the debate on the amendment which I believe the gentleman will be offering.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Chairman, I thank the gentleman.

I simply wanted to comment on one point raised by the previous speaker, the gentleman from Ohio [Mr. OXLEY].

As a member of TCAF, I am amused that everybody can read the report of the Temporary Commission on Alternative Financing and everybody reads into it what they want. Having been there, I know that the findings of that commission were that there were not adequate resources external to Federal financing to adequately fund public broadcasting. That should not be lost.

One other point that the gentleman made was, if I understood the gentleman correctly, that public broadcasting leadership would not let the experiment continue. That is totally false. As the chairman knows, because he and I were there and wrote it into the law, that experiment ended because Congress insisted that it end, not be continued without us having an opportunity to examine it and move forward. It was not done at the behest of the public broadcasting leadership. It was done at your and my behest in a sense. It was done because Congress felt we needed to be able to examine the entire thing before we made fundamental changes in policy of how to fund public broadcasting.

If that is something the gentleman disagrees with, he disagrees with us, not with the leadership of public broadcasting.

Mr. WIRTH. Mr. Chairman, I thank the gentleman from Washington for clarifying the record and making sure again that the facts about TCAF are on the record.

I should also point out at this point that the projections suggested by the gentleman from Ohio from the projections made by public broadcasting as to what their outside income is are not being met at all by public broadcasting. State funding, other public funding, has decreased rapidly; business support has plateaued. We have not seen the kind of outside support increase in the dramatic fashion that we had all hoped that it might in 1981. It simply has not happened.

Mr. Chairman, I am happy to yield 3 minutes to the gentleman from Texas [Mr. BRYANT], a valuable member of the subcommittee.

Mr. BRYANT. Mr. Chairman, I thank the chairman of our subcommittee and want to identify myself and associate myself with his remarks and with the remarks of the chairman of our full committee, the gentleman from Michigan [Mr. DINGELL] and also offer my congratulations to the gentleman from Washington [Mr. SWIFT] for the leadership that he has offered in this field.

To the Members of the House that have studied this issue, it will come as no surprise to hear any Member of the Congress stand here and complain, as I am about to do, about how disingenuous it is for any other Member of this House to characterize this bill before us today as a 50-percent increase, or whatever they choose to call it, as a major increase in funding for the Corporation for Public Broadcasting, and to somehow raise the issue of fiscal responsibility when it is crystal clear that this Congress under the leadership of the minority and of the gentleman who occupies the White House today engineered a Draconian cut in the budget of the Corporation for Public Broadcasting, allegedly in order to determine whether or not it would be possible for them to obtain funding from another source. That experiment took place. That experiment revealed that it was not possible for them to do so, and if that was their only reason for wanting to cut the budget in those years then I think that reason has been taken away.

I believe, Mr. Chairman, that it is very clear today that the vote that we are about to take is a vote on whether or not we support the broad aims, and goals and the worthy purposes and the very successful purposes of the Corporation for Public Broadcasting or whether we do not. It comes down to that simple choice.

Again, I offer my congratulations to the leadership of our committee for having brought this bill and this debate to the House in the forthright manner with which they have done so.

I urge every Member to cast a vote today for a viable Corporation for Public Broadcasting by casting an "aye" vote in favor of this bill.

Mr. TAUKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I, along with the gentleman from Washington [Mr. SWIFT], have represented this House on the Temporary Commission for Alternative Financing for Public Broadcasting and I was one of the members of that commission who sincerely believed that there would be an opportunity for public broadcasting to obtain much of its financing from private sources. Indeed, public broadcasting does receive much of its financing from non-Federal sources. The Federal Government provides a relatively small share of the total amount of dollars that go to the support of public broadcasting.

When we looked at expanding the amount of money that would come from non-Federal sources and reducing the amount that would come from the Federal Government, we considered a variety of alternatives. We looked, for example, at the possibilities for public broadcasting stations to lease their facilities for commercial projects and other things.

We looked at the possibility of public broadcasting stations providing other services besides broadcast services.

We reviewed the possibilities for expanding the efforts of public solicitation.

We reviewed the possibilities for receiving additional revenues from advertising over public broadcasting stations and in many of these instances we did find that indeed it was possible to extract more dollars for public broadcasting from these non-Federal sources.

□ 1530

But, as the gentleman from Washington and the chairman of our committee and the chairman of the subcommittee suggested earlier, the bottom line was that no matter how much we were able to expand these non-Federal sources of revenue there was still a substantial need for Federal revenues in order to maintain a viable public broadcasting system.

We would like to have found a different conclusion. But the reality was that there was not a possibility to reach a different conclusion.

I think it is important to point out that it was not necessary to have Federal funds to keep the local station afloat. That is not the big problem. The big problem is it takes substantial dollars to produce the programs that the local stations carry.

Most of us represent areas that are served by stations that do not do much of their own production. They rely on some of the other broadcasting outlets across the country such as those in Boston and New York to do their production. If there is a substantial reduction in the Federal funding, the production of that quality program will not be there, and no matter how much support we have for public broadcasting from the friends groups in Iowa, we are not going to be able to have good programming on the air.

That is why it is important for us to recognize the fundamental need for maintaining and enhancing the Federal commitment to this program.

I think it is also important for my colleagues who have been interested in the makeup of our broadcasting, both public and commercial, to spend just a moment to consider what they are doing if they call for a cutback in public broadcasting and in our commitment to public broadcasting, especially a cutback that endangers the quality of public broadcasting.

As many of you know, I have been a supporter of efforts to deregulate the broadcast industry. If we are going to deregulate the commercial broadcast industry it is more vital than ever that we have a good public broadcasting segment. I would like to suggest to those who want to reduce substantially the Federal commitment to public broadcasting that they recognize the potential harm that that does to efforts to deregulate the commercial broadcast industry.

I would much rather that we spend our Federal dollars on providing a good, solid public broadcasting system than that we spend our Federal dollars regulating to death the commercial broadcasting system. That is in part the philosophical basis for my support for this effort to enhance and improve the Federal commitment to the public broadcasting system. I think it is a commitment that is philosophically sound for those of us who want a diverse and active exchange of information and views over our airways. I think it is also fundamentally necessary for those of us who believe that a strong public broadcasting system is in the public interest.

We must continue to push for those other non-Federal sources of funding but we need to recognize that those sources are not adequate to maintain the production of good programming that we want on our public airways.

I will retain the balance of my time.

Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DANNEMEYER].

Mr. DANNEMEYER. I thank my colleague for yielding.

I would like to engage my friend from Colorado [Mr. WIRTH] in a statement, if he would join with me.

It is my understanding that this bill authorizes funding for fiscal years 1987, 1988, and 1989; is that correct?

Mr. WIRTH. Will the gentleman yield?

Mr. DANNEMEYER. I yield to the gentleman.

Mr. WIRTH. The gentleman is correct.

Mr. DANNEMEYER. That is puzzling. Last year we passed an authorization for 1984, 1985, and 1986. Having in place an authorization for 3 years prospectively from 1984, what is the policy reason why we are now taking up an authorization measure for 1987, 1988, and 1989?

I do not understand that.

Mr. WIRTH. Will the gentleman yield?

Mr. DANNEMEYER. I will be happy to yield.

Mr. WIRTH. I guess the gentleman probably was not listening to the discussion earlier, nor understanding the concept of public broadcasting, which is that there be advance funding for public broadcasting for the purpose of insulating public broadcasting from the potential of any political influence. That is why we have always advance funded and authorized public broadcasting and are now doing so in 1987, 1988, and 1989.

Mr. DANNEMEYER. I thank my colleague. Would it not make more sense, though, to wait until 1985 or 1986 before we start talking about reauthorization for 1987, 1988, and 1989?

Mr. WIRTH. This has been an agreement on both sides, and in both bodies, to advance funds on a 3-year basis. We have always done that.

If the gentleman wants to change that procedure in some fashion, he can talk to the chairman of the full Commerce Committee or to Senator PACKWOOD. I am sure that they would be interested in hearing the gentleman's comments.

Mr. DANNEMEYER. I know from my colleague from Colorado's viewpoint, the distinguished chairman of the subcommittee, you expect a change in the White House come next January. It would just appear to this Member from California that from your standpoint it would be better to wait until next year to take up this reauthorization because, if I understand the gentleman's platform correctly, the sky is the limit. The increased spending authorized by the Democratic national platform comes to some \$153 billion for the next fiscal year for environmental issues alone. Just think how much you could expand the spending for the Corporation for Public Broadcasting if you had a member of your party in the White House. I mean, would that not appear reasonable?

Mr. WIRTH. Will the gentleman yield?

Mr. DANNEMEYER. I am happy to yield.

Mr. WIRTH. I am quite sure that a Democratic administration as opposed to this administration would in fact be a strong supporter of public broadcasting and I say that with significant pride as a Democrat.

Mr. DANNEMEYER. That being the case, it just is puzzling why you would not, suffering, or, rather, working under the joy of expectation, wait until next year and bring this up when you could ask for even a higher level of authorization. It is puzzling as to why we are doing this today, and I yield back the balance of my time.

● Mrs. COLLINS. Mr. Chairman, I rise in support of H.R. 5541, legislation reauthorizing funding for the Corporation for Public Broadcasting. As a consistent and staunch supporter of this program I am all too keenly aware of the need to properly maintain this necessary medium.

During reauthorization hearings before the Subcommittee on Telecommunications, it was brought out that the funding levels requested by CPB were reasonable and justified and that the moneys do not reflect the need for the improved, or expanded levels of service that we would all prefer. Indeed, the money we have authorized is crucial if we are to prevent further erosion of the public broadcast system we have come to enjoy and rely upon so much.

While I might like commercial broadcasters to assume a larger responsibility in providing programming for underserved and underrepresented audiences, that has just not been the case. I have championed public broadcasting because they traditionally have met the need for programs that the commercial marketplace has not provided—that is, programming for children, minorities, women, elderly, and the handicapped. Public broadcasting is also the major source for in-depth coverage of Congress and national and local news. In short, public broadcasting fills a need the American people have relative to creative and sensitive programming that we just do not see on regular television.

In commending the CPB for their role in providing diverse programming on decreased Federal funds, I must call their attention to a problem I have found need of corrective action. It is my belief that public broadcasting must work harder in ensuring that minorities and women have access to the entire range of benefits and opportunities that Congress have created by this medium. It would appear to me that while the Corporation has done an admirable job in children's programming, much has yet to be done in the way of increasing more training money to minority producers, writers, and increasing the number of minorities hired in decisionmaking positions.

What bothers me about this issue is that legislative report language to public broadcasting has been clear—the Corporation must, given the large amount of Federal funds they receive, be more aggressive in bringing blacks and other minorities into the industry. Only through increased employment of minorities can we begin to really offer diverse ideas, view points, and programming. We can no longer tolerate an entity which exists almost solely on Federal funds to promote program diversity, to ignore congressional direction in the equal employment opportunity area.

In closing, let me urge my colleagues to vote for this legislation. Public broadcasting is a necessary part of our goal to increasing program diversity. ● Mr. LANTOS. Mr. Chairman, I rise today to give my emphatic support to H.R. 5541, the Public Broadcasting Amendments Act of 1984, and to voice my strenuous objections to any attempts to dilute this fundamental effort to encourage and modernize our Nation's outstanding public television and radio stations.

In H.R. 5541 Congress has the opportunity to redress a series of major budget cuts which have seriously eroded the public broadcasting system's ability to serve its national and local audiences. This opportunity must not be taken lightly, for public broadcasting in the United States has earned a deserved worldwide reputation as a source of diverse, enlightening, and enriching television and radio programming. In recent years the Corporation for Public Broadcasting has fought desperately to maintain this reputation in the face of dramatically reduced Federal support.

In 1981 the Federal funding levels for public broadcasting were slashed by 25 percent, precipitating the dawn of desperately lean years. As a result of these cuts, the Corporation for Public Broadcasting [CPB] was forced to trim supporting grants to its qualified television stations by 23 percent, and similar grants to its public radio stations by 14 percent. On the bottom line, national public television programming was reduced by 12 percent as public broadcasters tried to accommodate the sudden downturn in support.

As if the loss of direct Federal support was not enough, the public broadcasting community was racked by funding cuts from associated Federal departments and agencies. The Department of Education, which had contributed nearly \$50 million to development of the landmark "Sesame Street" and "Electric Company" programs, cut its contribution to public TV by 80 percent. The National Science Foundation, a strong contributor to educational programs, was forced to eliminate its financial support.

Finally, local PBS stations were trapped in a catch-22 by the Federal cuts when the lost Federal funds triggered a dramatic reduction in matching funds provided by State and local governments and universities throughout the Nation. These localized funding resources had been fundamental to the ability of public radio and television stations to respond to the unique demands of their local audiences.

Public broadcasters did not sit by and bemoan the loss of funds. In admirable fashion they initiated a grassroots drive among their viewing and listening audiences to secure greater private financial support for public broadcasting. The success of these efforts is testimony to the hard work of the broadcasters, the appreciation of audiences for the quality of public broadcasting, and the generosity of the American people. Between 1978 and 1982, public broadcasters managed to raise six new dollars from private sources for every new Federal dollar appropriated.

These achievements in fundraising have helped to stem the tide of the Federal budget cuts. However, it is abundantly clear that because of the dramatic loss of Federal funds public broadcasters have been unable to keep up with the necessary technological advancements in their fields. Few sectors of American society have experienced the dizzying modernization thrust upon radio and television broadcasting in the past 10 years. Satellites, computerized editing, cameras, transmitters, and quality control mechanisms are just a few of the broadcast technologies that demand stations to keep current, or fall desperately and expensively behind in capabilities. As the printing press is the fundamental tool of the print media, the broadcast technologies are the hammer and nails of radio and television stations. To ignore proper maintenance, construction, and acquisition is to invite certain and rapid deterioration in capabilities.

But far more important than technology acquisition is the need for our Nation to encourage program development by public broadcasters. If not for the public broadcasting system, our Nation would have precious little cultural, musical, educational, or documentary programs on the airwaves. When I think of my grandchildren being introduced to numbers, the alphabet, and common sense by programs such as "Sesame Street" and "Mr. Roger's Neighborhood," I am deeply grateful for PBS. When I am entertained by programs presenting the finest in music and art, I am sure that PBS is contributing to the beauty of our national texture. When my family is informed by programs such as "NOVA," "Frontline," or "National Geographic Specials," I know that PBS is contributing to a better in-

formed American public. By supporting the Corporation for Public Broadcasting, Congress is investing in the cultural, informational, and educational development of our Nation.

I urge my colleagues to remember that public broadcasting in the United States means 177 qualified television stations and 272 qualified radio stations covering every corner of our country. These stations make special and unique contributions to the lives of our constituents. I know that my congressional district has been greatly served by the outstanding public service of television stations KQED in Oakland and KCSM in San Mateo. I've had the opportunity to work closely with the professionals of these stations, and have gained a lasting respect for their commitment to meeting the needs of the thousands of San Francisco Bay area residents who turn daily to the public broadcasting alternative.

In summation, I urge my colleagues to savor the marvelous contribution of public broadcasting to this Nation, and to endorse its continued vitality by passing H.R. 5541, the Public Broadcasting Amendments Act of 1984.●

The CHAIRMAN. Are there any further requests for time?

Mr. TAUKE. Mr. Chairman, I yield back the balance of my time.

Mr. WIRTH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the committee amendment in the nature of a substitute now printed in the reported bill shall be considered as an original bill for the purpose of amendment, and each section shall be considered as having been read.

The Clerk will designate section 1.

The text of section 1 is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Public Broadcasting Amendments Act of 1984".

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

AUTHORIZATION OF APPROPRIATIONS FOR PUBLIC TELECOMMUNICATIONS FACILITIES

Sec. 2. Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended—

(1) by striking out "and" after "1983," and
(2) by inserting after "1984," the following: "\$50,000,000 for fiscal year 1985, \$53,000,000 for fiscal year 1986, and \$56,000,000 for fiscal year 1987,".

AMENDMENTS OFFERED BY MR. OXLEY

Mr. OXLEY. Mr. Chairman, I offer two amendments and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

Mr. WIRTH. Mr. Chairman, reserving the right to object, and I think I will not object, but for the purposes of addressing a question to the gentleman from Ohio, these are an amendment on the one hand to the CPB and, on the other hand, to public facilities that you are linking the two together; is that correct?

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I am happy to yield to the gentleman from Ohio.

Mr. OXLEY. That is correct.

Mr. WIRTH. Mr. Chairman, I will not object, and I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. OXLEY: Page 2, beginning on line 10, strike out "\$50,000,000 for fiscal year 1985, \$53,000,000 for fiscal year 1986, and \$56,000,000 for fiscal year 1987," and insert in lieu thereof "\$14,000,000 for fiscal year 1985, \$16,000,000 for fiscal year 1986, and \$18,000,000 for fiscal year 1987,".

Page 2, beginning on line 21, strike out "\$238,000,000 for fiscal year 1987, \$253,000,000 for fiscal year 1988, and \$270,000,000 for fiscal year 1989" and insert in lieu thereof "\$186,000,000 for fiscal year 1987, \$214,000,000 for fiscal year 1988, and \$246,000,000 for fiscal year 1989".

Mr. OXLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OXLEY. Mr. Chairman, the purpose of the amendment is to provide for a reasonable increase for the Corporation for Public Broadcasting and for the facilities therein, while at the same time maintaining a degree of fiscal responsibility as we do so.

If one would look at the numbers that have been enacted compared to what has been proposed in this legislation I think it becomes quite evident of the rapid increase that we see with the authorization levels.

In 1984 it was \$145 million; 1985, \$153 million authorized; and in 1986, \$162 million.

The proposal for 1987 would be fully a 50-percent increase from the 1986 levels. And if one were to look overall at the 3 years that we are talking about here, we are talking about an 81-percent increase in the authorization levels from the base year that we look at from 1986, which again has already been authorized by the Congress.

□ 1540

The facility construction subsidies are even greater and, in fact, the bill provides authorizations from 1975 through 1987, \$50 million in 1985 and even more in 1986 and 1987. The 1984 authorization already enacted is \$12 million. Thus, the bill increases the authorization for this program by more than 400 percent in a single year.

That is a massive increase by anybody's definition. The bill authorizes a combined total of \$920 million for a 3-year period. This is 81 percent more money than the \$507 million the Congress has already authorized for the previous 3 years. There is no reason to believe that public broadcasters need such massive increases in Federal funding in such a short period of time.

Just 3 years ago, Mr. Frank Maniewicz, a high-ranking public broadcasting official at the time, wrote a letter to all members of our committee stating that only \$130 million was necessary for 1986. If \$130 million is enough for 1986, why is \$238 million necessary in 1987, just 1 year later?

Such significant increases are especially undesirable because public broadcasters have opposed being given statutory authority to engage in limited advertising in order to provide additional revenues.

We had some discussion on that during general debate. It was interesting to note that there have been some successes where those particular pilot projects have been tried as I pointed out in Chicago particularly, where they had had actually created some non-Federal funds through limited advertising and it had no serious repercussions among the viewing public, nor by the commission set up to study the alternative financing.

The budget resolution passed a few months ago by this House proposes to limit spending increases for nearly all discretionary Federal spending programs to 3.5 percent above the previous year's spending level for each of the 3 years covered by the budget resolution in order to help reduce the size of the Federal deficit.

In fact, in developing the budget resolution, Chairman JONES assumed that public broadcasting expenditures would be frozen at their current levels without any increase.

I would remind you that my amendment provides for a 15-percent increase in that first year.

The bill before us thus does substantial violence to the budget resolution which this body has already passed. If this bill becomes law, it will be necessary for Congress to make deep cuts in other Federal domestic programs, including food stamps and other aid to individuals in order to meet the deficit reduction targets contained in the House budget reconciliation package.

Mr. Chairman, we are talking now about a substantial increase for the

Corporation for Public Broadcasting. All of us know as Members that we are importuned by a various number of groups to increase the level of spending. It has been that way for a long period of time and I suspect it will continue.

But the fact is we simply have to recognize that we have to live within our budget. Again, we have heard a lot of speeches that last several months, particularly last week, about the Federal budget deficit. Yet we are going on merrily ignoring those predictions, ignoring the budget resolution and asking for these kinds of increases to take place.

(By unanimous consent, Mr. OXLEY was allowed to proceed for 3 additional minutes.)

Mr. OXLEY. We are talking about, in my amendment, a reasonable compromise; instead of a 50-percent increase as these increases are, indeed, budget busters. There is no question about it.

Yet we are prepared to increase it by that much. Certainly every program has some positive aspects to it or it would never have got enacted in the first place. I support public broadcasting. I am a member of a public broadcasting station, I watch public broadcasting, I enjoy the broadcasting that takes place.

We also have to recognize that we have to represent the taxpaying public here when we are talking about those kinds of increases in the authorization level. Those people I think have spoken rather clearly at least at this point in their support for public broadcasting by indicating that only 1 out of every 10 people who watch public broadcasting actually contribute or actually are members of public broadcasting stations.

I think that says a lot for the kind of support that they still have to incur among the public.

Well, the fact is, Mr. Chairman, it is a lot easier to come to the Congress to lobby the Congress and ask the Congress to increase their Federal share. It is much easier than going on the air and working on getting Members to their particular cause.

So we continue to see those revenue sources increasing every year while at the same time the outside sources, as I indicated before, have projected to be rather substantial increases.

As a matter of fact, projected in 1989, over a billion dollars of non-Federal income. That is hardly a small amount.

Now the chairman of the subcommittee, my good friend from Colorado [Mr. WIRTH], tells us there are certain areas where public television has not reached, public radio has not reached.

Let me also say that there are a lot of areas in this country where there is a tremendous duplication of public television. I live in a town of 38,000

people and I can get on cable three public television stations in that small town. Yet we see that throughout; the duplication of the public television networks throughout this country.

Yes, there are some holes there, but the fact is there are a lot more duplicative efforts than we find people not being able to reach public television and public radio. So I would ask that this House seriously consider a very reasonable amendment, a 15-percent increase which is obviously much more, about three times more than just about any other program is getting around here these days. I think it is a reasonable compromise.

Mr. Chairman, I would certainly ask the House's support for this very worthwhile amendment and one I think that brings some fiscal sanity to the process while at the same time giving the Corporation for Public Broadcasting the increases they need to increase their programming, not only the quantity but the quality as well.

I thank the Chair.

AMENDMENTS OFFERED BY MR. DANNEMEYER AS A SUBSTITUTE FOR THE AMENDMENTS OFFERED BY MR. OXLEY

Mr. DANNEMEYER. Mr. Chairman, I offer amendments as a substitute for the amendment offered by my colleague, the gentleman from Ohio, if it is appropriate to have those considered.

The Clerk read as follows:

Amendments offered by Mr. DANNEMEYER as a substitute for the amendments offered by Mr. OXLEY:

Page 2, beginning on line 10, strike out "\$50,000,000 for fiscal year 1985, \$53,000,000 for fiscal year 1986, and \$56,000,000 for fiscal year 1987," and insert in lieu thereof "and \$11,800,000 for each of the fiscal years 1985, 1986 and 1987."

Page 2, beginning on line 21, strike out "\$238,000,000 for fiscal year 1987, \$253,000,000 for fiscal year 1988, and \$270,000,000 for fiscal year 1989" and insert in lieu thereof "and \$130,000,000 for each of the fiscal years 1987, 1988 and 1989".

Mr. DANNEMEYER (during the reading). Mr. Chairman, I ask unanimous consent that the amendments offered as a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. The Chair would inquire, does the substitute offered by the gentleman from California go to two sections of the bill?

Mr. DANNEMEYER. It does, Mr. Chairman.

The CHAIRMAN. The gentleman from California is amending basically the two sections the gentleman from Ohio [Mr. OXLEY] is referring to?

Mr. DANNEMEYER. The Chair is correct.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DANNEMEYER. Mr. Chairman and Members, this substitute will permit the House to consider, as a policy option, reauthorization for years 1987, 1988 and 1989 in an amount that is consistent with what policy course we chose to follow back in 1981, namely to freeze the authorization level at \$130 million for those next 3 fiscal years.

I believe that the experiment which we started back in 1981 of permitting the Corporation for Public Broadcasting to seek alternative sources of revenue to fund its activities should be continued.

For example, under existing law the CPB can lease its FM radio subcarriers for commercial purposes. The Corporation for Public Broadcasting can produce commercials for other broadcasters. And of course it can increase its donations from corporate and foundation donors.

Mr. Chairman, I find it a little puzzling to have the House take up this measure relating to fiscal years 1987, 1988, and 1989 in this year 1984, but of course we on the minority do not control the time; we do not control what bills will come up when. We are here because the majority, the Democratic leadership, decided to bring up this bill.

It appears to this Member from California that if we are to make any serious effort of dealing with the deficit that both parties decry, that is to say an effort to reduce it, rather than stand here mute in the face of it, that we can be constructive with respect to the reduction of that deficit by saying not that we will cut out the funding for the CPB, and there are those who would like to do that, but I think in light of the problems which National Public Radio, a subsidiary of the Corporation for Public Broadcasting, has had, its severe and profound management problems, that the last thing we should be doing, in face of these problems, is increasing its authorization.

□ 1550

Therefore, I think we should limit the authorization to the same level that was established in 1981; namely, \$130 million for each of those fiscal years.

Mr. WIRTH. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the substitute and to the amendments.

Mr. Chairman, first of all, to deal with the substitute. It simply is not a serious substitute if one looks at the history of public broadcasting. It is intended simply to gut and destroy public broadcasting and if the gentleman was serious about that he could have pursued the recommendation made initially in 1981 by the administration which, in effect, was to zero out altogether the facilities program

and to cut public broadcasting back so dramatically that it would die.

So the debate should occur, I think, on the amendment offered by the gentleman from Ohio [Mr. OXLEY], which is a serious, misguided, but a serious amendment.

Let me, if I might, very briefly respond. Most of the points have been debated already in the general debate on the public broadcasting bill.

First of all, let me point out to my colleagues the very broad bipartisan support that we have for H.R. 5541 and its equivalent bill in the Senate. These numbers were initially proposed by the majority on the Senate side. This bill was reported out, these identical numbers, by a voice vote from the Senate.

On the House side, the support has been from the ranking minority member of the subcommittee and the gentleman from Iowa [Mr. TAUKE], a valuable member of the Temporary Commission. On the majority side by the chairman of the full committee, the gentleman from Michigan [Mr. DINGELL], the gentleman from Washington [Mr. SWIFT], the gentleman from California [Mr. WAXMAN], the gentleman from Massachusetts [Mr. MARKEY], the gentleman from New York [Mr. SCHEUER], and the gentleman from Texas [Mr. BRYANT]. We have had that kind of support on both sides of the aisle and in both bodies.

Second, there has been discussion of the deficit and the budget resolution. Let me again remind my colleagues that this is an authorization, not an appropriation. Second, let me remind my colleagues that this is not included in the budget resolution. The budget resolution, and I sit as a member of the Budget Committee as well, the Budget Committee does not go through and develop a budget on a program-by-program basis. And in addition, the authorization, 1987, 1988, 1989, is beyond the reach of the budget resolution.

A fourth point that should be made was reflected by those two valuable members of the Temporary Commission on Alternative Financing, the gentleman from Iowa [Mr. TAUKE] and the gentleman from Washington [Mr. SWIFT]. The Temporary Commission reviewed the results of the attempt to look for alternative sources and unhappily found those alternative sources wanting; came back with the recommendation to the Congress that the stability in the public financing system would be found only with a consistent and steady funding base from the Federal Government. We had all hoped that there would be alternative financing. That has not been the case.

A fifth point that I would ask my colleagues to keep in mind relates to the real percentage increase that we are talking about. If one looks at the

history of public broadcasting from the early 1980's to the late 1980's, from 1981, 1982, 1983, to 1987, 1988, 1989, one finds over that period of time a 3.8-percent increase in the authorization for public broadcasting. A 3.8-percent increase across the decade of the 1980's will not even keep public broadcasting up to inflation.

If I had my druthers, I would even further increase the percentage beyond the inflation rate. We have not even done that.

If we go to the Oxley amendment, we are going to dramatically cut the capacity of public broadcasting.

Finally, the facilities program should again be emphasized. As I noted earlier, 10 percent of citizens of the United States cannot receive public television. The gentleman from Ohio mentioned that through cable in his area he is able to receive three public broadcasting stations. That is through the anomalous must-carry requirements that are placed upon cable broadcasting. And I would also point out that less than 50 percent of the American public has access to cable television.

What is important is that 10 percent of the American public has no access to public television. Thirty percent, predominantly rural America, has no access at all to public radio.

If we are going to be fair, all the taxpayers are paying for public broadcasting, let us make sure that all taxpayers have access to this very, very valuable resource both in television and in radio.

So I would hope that my colleagues would recognize that the Dannemeyer substitute is really a throwback to a different set of debate. The serious debate is on the Oxley amendment. We should defeat the Oxley amendment because that does not approach public broadcasting in the constructive bipartisan way with the moderate increases that have been there over a long period of time as found in the initial bill.

So I would urge my colleagues to reject the Oxley amendment.

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. WIRTH. I yield to the gentleman from Iowa.

Mr. OXLEY. I thank the gentleman for yielding.

Mr. Chairman, I will not repeat my support for the gentleman's position on the nonfacilities portion because, as I indicated in my remarks during general debate, I think that we should stick with the committee position.

The CHAIRMAN. The time of the gentleman from Colorado [Mr. WIRTH] has expired.

(At the request of Mr. TAUKE and by unanimous consent, Mr. WIRTH was allowed to proceed for 2 additional minutes.)

Mr. TAUKE. If the gentleman will continue to yield, I think that it is important to amplify a bit on what the gentleman said relating to the facilities portion of this authorization measure.

It is not just that 10 percent of the American people do not have access to public broadcasting via television, but it is that we have a number of facilities that are getting old and we need to continue to replace those facilities and update them and improve them in order to have high quality broadcasting to those who already receive it.

But in addition, this facilities authorization relates to more than just public broadcasting. For example, in my own State of Iowa, it is being used to develop a telecommunication system for the State which saves taxpayers money and provides for more efficient operation and communication among the public facilities within our State.

It also is being used for educational purposes. The community colleges, for example, use money from the facilities fund in order to establish a communications system which allows the teaching of classes in rural communities or the broadcast of classes in rural communities that are being taught in a campus center and two-way communication is established through those new facilities that are funded by this authorization.

So this is much more than just a question of extending public broadcasting services to those who do not receive it yet, although that is important. It is also maintaining services for those who do receive it and providing those new telecommunications advancements for the public in many areas where it can be exceedingly helpful, ranging from Government management, improved Government management, to education.

Mr. WIRTH. I thank the gentleman for his comments on the facilities program in particular. As usual, the gentleman is right on target. I mean absolutely correct about the replacement of facilities and the alternatives provided by public broadcasting.

Again, I would urge my colleagues to vote "no" on the Oxley amendment and to support the initial bill in the bipartisan fashion that it has been presented to the House.

Mr. O'BRIEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Oxley amendments.

Mr. Chairman, when you compare the Oxley amendment with the bill itself, you can hardly contend that we are undernourishing public broadcasting by increasing it a mere 15 percent every year. I take no second place in my belief in public broadcasting with anyone in this room, but it seems to me that we are constantly bumping

into the problem of getting too much of a good thing.

If we are ever going to take the term "deficit" seriously, we have to look at it in all its aspects and at all times.

My notion is that the Oxley amendment will increase authorization 15 percent each year, an amount which is well beyond the inflation rate and which will allow significant growth for the industry.

I suspect that a good case can be made for less, but I come down on all fours with the Oxley compromise. I think we should pass it.

□ 1600

The CHAIRMAN. The question is on the amendments offered by the gentleman from California [Mr. DANNEMEYER] as a substitute for the amendments offered by the gentleman from Ohio [Mr. OXLEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DANNEMEYER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 306]

Ackerman	Britt	Daniel	Fazio	Long (MD)	Roe
Addabbo	Brooks	Dannemeyer	Feighan	Lott	Roemer
Akaka	Broomfield	Darden	Ferraro	Lowery (CA)	Rogers
Albosta	Brown (CA)	Daschle	Fiedler	Lowry (WA)	Rose
Alexander	Brown (CO)	Daub	Fields	Lujan	Roth
Anderson	Broyhill	Davis	Fish	Luken	Roukema
Andrews (TX)	Bryant	de la Garza	Flippo	Lundine	Rowland
Annunzio	Burton (CA)	Dellums	Florio	Lungren	Rudd
Anthony	Burton (IN)	Derrick	Foglietta	Mack	Russo
Applegate	Byron	DeWine	Foley	MacKay	Sabo
Archer	Campbell	Dickinson	Ford (MI)	Madigan	Savage
Aspin	Carney	Dicks	Frank	Markey	Sawyer
Badham	Carper	Dingell	Frenzel	Martin (IL)	Schaefer
Barnard	Carr	Dixon	Fuqua	Martin (NY)	Schneider
Barnes	Chandler	Donnelly	Garcia	Martinez	Schroeder
Bartlett	Chappell	Dorgan	Gaydos	Matsui	Schulze
Bateman	Chappie	Downey	Gekas	Mavroules	Schumer
Bates	Cheney	Dreier	Gephardt	Mazzoli	Seiberling
Bedell	Clarke	Duncan	Gibbons	McCain	Sensenbrenner
Bellenson	Clinger	Durbin	Gilman	McCandless	Sharp
Bennett	Coats	Dwyer	Gingrich	McCloskey	Shaw
Bereuter	Coelho	Dymally	Glickman	McCollum	Shelby
Berman	Coleman (MO)	Dyson	Gonzalez	McCurdy	Shumway
Bethune	Coleman (TX)	Early	Goodling	McDade	Shuster
Bevill	Collins	Eckart	Gore	McEwen	Sikorski
Bilirakis	Conable	Edgar	Gradison	McGrath	Siljander
Bliley	Conte	Edwards (AL)	Gramm	McHugh	Simon
Boehrlert	Conyers	Edwards (CA)	Gray	McKernan	Slusky
Boggs	Cooper	Edwards (OK)	Green	McKinney	Skeen
Boland	Corcoran	Emerson	Gregg	McNulty	Skelton
Bonker	Coughlin	English	Guarini	Mica	Slattery
Borski	Courter	Erdreich	Gunderson	Michel	Smith (FL)
Bosco	Coyne	Erlenborn	Hall (IN)	Mikulski	Smith (IA)
Boucher	Craig	Evans (IA)	Hall (OH)	Miller (CA)	Smith (NE)
Boxer	Crane, Daniel	Evans (IL)	Hall, Ralph	Miller (OH)	Smith (NJ)
Breaux	Crane, Philip	Fascell	Hall, Sam	Mineta	Snowe
			Hamilton	Minish	Snyder
			Hammerschmidt	Mitchell	Solarz
			Hance	Moakley	Solomon
			Harkin	Mollinari	Spence
			Hartnett	Mollohan	St Germain
			Hatcher	Montgomery	Staggers
			Hayes	Moody	Stangeland
			Hefner	Moore	Stark
			Hertel	Moorhead	Stenholm
			Hightower	Morrison (CT)	Stokes
			Hill	Morrison (WA)	Stratton
			Hillis	Murphy	Studds
			Holt	Murtha	Sundquist
			Hopkins	Myers	Swift
			Horton	Natcher	Synar
			Howard	Neal	Tallon
			Hoyer	Nelson	Tauke
			Hubbard	Nichols	Tauzin
			Huckaby	Nielson	Taylor
			Hughes	Nowak	Thomas (CA)
			Hunter	O'Brien	Thomas (GA)
			Hutto	Oakar	Torricelli
			Hyde	Oberstar	Traxler
			Ireland	Obey	Valentine
			Jacobs	Olin	Vander Jagt
			Jeffords	Ortiz	Vandergriff
			Jenkins	Ottlinger	Vento
			Johnson	Owens	Volkmer
			Jones (NC)	Oxley	Vucanovich
			Jones (OK)	Packard	Walgren
			Kaptur	Panetta	Walker
			Kasich	Parris	Watkins
			Kastenmeier	Pashayan	Weaver
			Kazen	Patman	Weber
			Kemp	Patterson	Weiss
			Kennelly	Paul	Wheat
			Kildee	Pease	Whitehurst
			Kleczka	Penny	Whitley
			Kolter	Pepper	Whittaker
			Kostmayer	Perkins	Whitten
			LaFalce	Petri	Williams (MT)
			Lagomarsino	Pickle	Williams (OH)
			Lantos	Porter	Wilson
			Latta	Price	Winn
			Leach	Pursell	Wirth
			Leath	Quillen	Wise
			Lehman (CA)	Rahall	Wolf
			Lehman (FL)	Rangel	Wolpe
			Leland	Ratchford	Wortley
			Lent	Ray	Wright
			Levin	Regula	Wyden
			Levine	Reid	Wyllie
			Levitas	Richardson	Yates
			Lewis (FL)	Ridge	Yatron
			Lipinski	Rinaldo	Young (AK)
			Lloyd	Ritter	Young (FL)
			Loeffler	Roberts	Zschau
			Long (LA)	Robinson	

□ 1610

The CHAIRMAN. Three hundred eighty-nine Members have answered to their names, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from California [Mr. DANNEMEYER] for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair will remind the Members that this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 95, noes 298, not voting 40, as follows:

[Roll No. 307]

AYES—95

Archer	Hammerschmidt	Parris
Badham	Hance	Pashayan
Bethune	Hartnett	Patman
Bevill	Hightower	Paul
Bliley	Hiller	Petri
Brown (CO)	Hillis	Pickle
Broyhill	Huckaby	Quillen
Burton (IN)	Hunter	Ray
Campbell	Hutto	Roberts
Carney	Hyde	Robinson
Cheney	Ireland	Roemer
Craig	Jenkins	Roth
Crane, Daniel	Kasich	Rudd
Crane, Philip	Kemp	Sawyer
Daniel	Lagomarsino	Schaefer
Dannemeyer	Latta	Schulze
Darden	Leath	Shumway
Daub	Livingston	Shuster
Dickinson	Loeffler	Siljander
Dreier	Lott	Smith (NE)
Dyson	Lungren	Solomon
Edwards (OK)	Mack	Spence
Emerson	Martin (IL)	Stangeland
Fiedler	McCandless	Stenholm
Fields	McCollum	Taylor
Filippo	McGrath	Thomas (CA)
Frenzel	Michel	Walker
Gilman	Montgomery	Weber
Gradison	Moore	Whittaker
Gramm	Moorhead	Winn
Gregg	Myers	Young (FL)
Hall, Sam	Packard	

NOES—298

Ackerman	Brown (CA)	Dorgan
Addabbo	Bryant	Downey
Albosta	Burton (CA)	Duncan
Alexander	Byron	Durbin
Anderson	Carper	Dwyer
Andrews (TX)	Carr	Dymally
Annuizio	Chandler	Early
Anthony	Chappell	Eckart
Applegate	Chapple	Edgar
Aspin	Clarke	Edwards (AL)
Barnard	Clinger	Edwards (CA)
Barnes	Coats	English
Bartlett	Coelho	Erdreich
Bateman	Coleman (MO)	Erlenborn
Bates	Coleman (TX)	Evans (IA)
Bedell	Collins	Evans (IL)
Beilenson	Conable	Fascell
Bennett	Conte	Fazio
Bereuter	Conyers	Feighan
Berman	Cooper	Ferraro
Billirakis	Corcoran	Fish
Boehlert	Coughlin	Florio
Boggs	Courter	Foglietta
Boland	Coyne	Foley
Bonior	Daschle	Ford (MI)
Bonker	Davis	Frank
Borski	de la Garza	Fuqua
Bosco	Dellums	Garcia
Boucher	Derrick	Gaydos
Boxer	DeWine	Gekas
Breaux	Dicks	Gephardt
Britt	Dingell	Gibbons
Brooks	Dixon	Gingrich
Broomfield	Donnelly	Glickman

Gonzalez	McCloskey	Schroeder
Goodling	McCurdy	Schumer
Gore	McDade	Seiberling
Gray	McEwen	Sensenbrenner
Green	McHugh	Sharp
Guarini	McKernan	Shaw
Gunderson	McKinney	Shelby
Hall (IN)	McNulty	Sikorski
Hall (OH)	Mica	Simon
Hall, Ralph	Mikulski	Sisisky
Hamilton	Miller (CA)	Skeen
Harkin	Miller (OH)	Skelton
Hatcher	Mineta	Slattery
Hayes	Minish	Smith (FL)
Hefner	Mitchell	Smith (IA)
Hertel	Moakley	Smith (NJ)
Holt	Molinar	Snowe
Hopkins	Mollohan	Snyder
Horton	Moody	Solarz
Howard	Morrison (CT)	St Germain
Hoyer	Morrison (WA)	Staggers
Hubbard	Mrazek	Stark
Hughes	Murphy	Stokes
Jacobs	Murtha	Stratton
Jeffords	Natcher	Studds
Johnson	Neal	Sundquist
Jones (NC)	Nelson	Swift
Jones (OK)	Nielson	Synar
Kaptur	Nowak	Tallon
Kastenmeier	O'Brien	Tauke
Kazen	Oaker	Tauzin
Kennelly	Oberstar	Thomas (GA)
Kildee	Obey	Torricelli
Kindness	Olin	Traxler
Kleczka	Ortiz	Udall
Kolter	Ottlinger	Valentine
Kostmayer	Owens	Vander Jagt
LaFalce	Oxley	Vandergriff
Lantos	Panetta	Vento
Leach	Patterson	Volkmer
Lehman (CA)	Pease	Vucanovich
Lehman (FL)	Penny	Walgren
Leland	Pepper	Watkins
Lent	Perkins	Weaver
Levin	Porter	Weiss
Levine	Price	Wheat
Levitas	Pursell	Whitehurst
Lewis (FL)	Rahall	Whitley
Lipinski	Rangel	Whitten
Lloyd	Ratchford	Williams (MT)
Long (LA)	Reid	Williams (OH)
Long (MD)	Richardson	Wilson
Lowery (CA)	Ridge	Wirth
Lowry (WA)	Rinaldo	Wise
Lujan	Ritter	Wolf
Luken	Roe	Wolpe
Lundine	Rogers	Wortley
MacKay	Rose	Wright
Madigan	Roukema	Wyden
Markey	Rowland	Wylie
Martin (NY)	Roybal	Yates
Martinez	Russo	Yatron
Matsui	Sabo	Young (AK)
Mavroules	Savage	Zschau
Mazzoli	Scheuer	
McCain	Schneider	

NOT VOTING—40

Akaka	Hansen (ID)	Regula
Andrews (NC)	Hansen (UT)	Rodino
AuCoin	Harrison	Rostenkowski
Biaggi	Hawkins	Shannon
Boner	Heftel	Smith, Denny
Clay	Jones (TN)	Smith, Robert
Crockett	Kogovsek	Spratt
D'Amours	Kramer	Stump
Dowdy	Lewis (CA)	Torres
Ford (TN)	Marlenee	Towns
Fowler	Marriott	Waxman
Franklin	Martin (NC)	Young (MO)
Frost	Nichols	
Gejdenson	Pritchard	

□ 1620

The Clerk announced the following pairs:

On this vote:

Mr. Denny Smith for, with Mr. Hawkins against.

Mr. Franklin for, with Mr. Young of Missouri against.

So the amendments offered as a substitute for the amendments were rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The amendments offered by the gentleman from Ohio [Mr. OXLEY] are currently pending. The Chair understands there are a couple of additional speakers.

Mr. NIELSON of Utah. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Ohio [Mr. OXLEY].

Mr. Chairman, I yield to the gentleman from Vermont [Mr. JEFFORDS].

Mr. JEFFORDS. I thank the gentleman for yielding to me.

Mr. Chairman, I rise in support of H.R. 5541, the public broadcasting amendments, which authorizes funds for the Corporation for Public Broadcasting [CPB] for fiscal years 1987-89 and for the Public Telecommunications Facilities Program [PTFP] for fiscal years 1985-87. I ask my colleagues to support the authorization levels in this bill and to oppose the Oxley amendment.

As my colleagues know, funding for the CPB was severely cut in 1981 as part of the overall Federal spending reduction program. It was hoped that private funding sources would compensate for these revenue losses. However, it soon became apparent that although a substantial amount of private funding was found, the private sector is not able to contribute sufficient amounts to enable CPB to continue its most important programs. Last September, this body passed a supplemental authorization which provided for sufficient funding to cover inflation and the growth in the number of public broadcasting stations.

Today we are considering an authorization level which continues the 1983 level with adjustments for inflation. It seems to me that this is a very reasonable request in light of the quality of services provided by public broadcasting and the unique function they perform. These funding levels have already been approved by our colleagues in the Senate.

The argument is being made that public broadcasting must receive greater funding from the private sector and that the Federal Government should not finance these services to the extent represented by this bill. However, I would like to point out that in my State of Vermont, Federal funding for educational television accounts for only 15 percent of the budget, which is a decrease of 10 percent since 1980. Vermont ETV has made concerted efforts to raise private funding, but private resources are limited. If we were to authorize only the amount requested by the Oxley

amendment, serious cutbacks in essential programming would be inevitable. The recent dramatic increases in viewership prove that such drastic cuts would do a major disservice to the public.

I urge my colleagues to review the history of public broadcast funding before casting their vote on the Oxley amendment. The increase in funding may look substantial if one considers only the amounts approved for fiscal years 1984 through 1986. However, we must remember that these amounts represent deep cuts from the 1983 level, cuts that would spell the demise of much of the valuable work of the CPB and the PTFP if they are allowed to continue beyond 1986. For these reasons I ask your support for H.R. 5541 as it now stands.

Mr. NIELSON of Utah. Mr. Chairman, I rise to speak in favor of the Oxley amendment to the public broadcasting authorization.

Mr. Chairman, I have always been a strong supporter of public broadcasting, both as a State legislator and also as Commissioner of Finance for the State of Utah Higher Education. I was instrumental in the legislature in instituting the translator system to bring public television to all parts of the State of Utah.

The State of Utah has always valued public broadcasting and, therefore, many remote areas of the State can only be reached by that means, so it is very important. We must continue PBS.

This is a serious amendment. I think we need to look at the facts before we vote on this amendment. As my colleagues know, our present authorization, including the supplemental, is \$162 million for public broadcasting. The bill would propose to raise that to \$238 million in 1987, a 47-percent increase. Actually, it is an 83-percent increase over what we previously passed in 1981.

□ 1630

The Oxley amendment calls for a 15-percent increase each year in 1987, 1988, and 1989, surely a very generous rate of increase, 15 percent per year. In construction it calls for a 16.7-percent increase in the first year, 1985, a 14-percent increase in 1986, and a 12½-percent increase in 1987. Those are very generous increases the gentleman from Ohio [Mr. OXLEY] is recommending.

I would like to suggest that if we are really fiscally responsible, we should be willing to pull our horns in. We do not need the 47-percent increase in the one case and the 400-percent increase in the facilities.

Mr. WEAVER. Mr. Chairman, will the gentleman yield?

Mr. NIELSON of Utah. I yield to the gentleman from Oregon.

Mr. WEAVER. Mr. Chairman, I want to tell my friend, the gentleman from Utah, that I have carried on a series of letters with the President of the Corporation for Public Broadcasting in which I said that I found the additional commercials they are running for companies today deleterious to the integrity of the broadcasting system. And also the salaries they are paying in their star system are as high sometimes as those they are paying in commercial broadcasting—\$200,000 a year.

I think what they should do is find the best talent going, not necessarily stars, and pay them a reasonable amount and not just try to emulate the commercial television.

I like public broadcasting. I almost exclusively watch it. Nevertheless, I think they should be sent a message that they should not simply go the way of flagrant expenditures that the commercial television does, and I support the gentleman's amendment.

Mr. NIELSON of Utah. Mr. Chairman, I thank the gentleman, and I will try to plow through this now as quickly as I can.

As a responsible Member of Congress, I must take exception to the massive increases in funding provided in this bill. As I indicated, the bill provides a near 50-percent increase next year for operations and about a 400-percent increase in a single year for facility construction subsidies. This is ridiculous when the recently passed budget resolution only provides a 3½-percent increase for all discretionary programs.

Are we serious about decreasing the deficit or not? The looming Federal deficit is a matter of major concern to the entire Nation. Are we going to pay lip service, or are we going to bite the bullet and control spending?

The Oxley amendment is a very responsible amendment. It does provide a 15-percent increase per year. It is more than four times the amount the budget resolution allows. Any amendment that allows four times the resolution is certainly a responsible amendment and is certainly not a crippling amendment, as was charged earlier. It is not a program-slashing amendment.

There are many other alternatives besides Federal funding for PBS. Let us continue to support PBS, but let us explore alternatives and give the taxpayers a break. We have to get this deficit under control. The only way to do it is to control spending.

Mr. Chairman, I support a reasonable increase in PBS funding, and I urge my colleagues to do the same by voting for the Oxley amendment.

Mr. FRENZEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had intended to offer an amendment to the Oxley

amendment, but I was late coming to the floor, and my distinguished colleague, the gentleman from California [Mr. DANNEMEYER], offered an amendment that was very similar to mine. His amendment would have frozen at the 1984 level the 1985 authorization for the Corporation for Public Broadcasting.

My amendment, Mr. Chairman, would have increased it by 3.5 percent. I will remind each Member of this Committee that when we voted for the House budget, those Members who voted for it voted for a 3.5-percent increase in this kind of expenditure. If you vote for the committee bill, you will blow that increase into a cocked hat. Even if you vote for the Oxley amendment, which is the best opportunity we will have, you will still be far exceeding the House budget resolution.

Mr. Chairman, I am not going to offer my amendment, which is only slightly higher than the Dannemeyer amendment, in the interest of saving time for the body. It obviously would not prevail. I will say, however, in the interest of preserving the House budget, which I thought was too high anyway, that the Members must support the Oxley amendment or, I think, cause a whole black mark on the budgeting process and on our deliberations here. If we do not support the Oxley amendment, it will certainly look like we did not care about our budget nor do we care about the deficit.

Mr. OXLEY. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the distinguished gentleman from Ohio.

Mr. OXLEY. Mr. Chairman, I thank the gentleman from Minnesota for yielding.

This is the first opportunity we have had since the recess to vote against massive deficits. It is as simple as that. The numbers do not lie.

My amendment provides for a 15-percent increase, a very generous increase. The committee amendment involves a 50-percent increase in the first year and an 81-percent increase over 3 years. It is time that we put our money where our mouth is.

When I first got here and before I came here, I always wondered how the Congress over all these years rolled up these kinds of deficits. Now I begin to understand. We have an opportunity here to reverse that trend, and I would simply say that any Member who feels constrained to vote against the amendment presently ought to think twice before he decries budget deficits on the floor of this House.

Mr. Chairman, I appreciate the gentleman's yielding.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman for his contribution.

Mr. Chairman, voting for the Oxley amendment is the least we should do. Even if that amendment should pass, I will vote against the bill and hope that it proceeds no further. Nevertheless, to cover our shame for having defeated the Dannemeyer amendment, it is imperative that the Oxley amendment be passed.

Mr. BRYANT. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

□ 1640

Mr. Chairman, I believe it is critically important for the Members of the House present to recognize some fundamentals about the issue that is before us at this time. One is that we are voting today to appropriate only 20 percent of the systemwide revenue of the Corporation for Public Broadcasting. Eighty percent of it comes from private subscriptions, from businesses or from State and local governments, so those that raise the issue of whether or not we are overappropriating funds to the Corporation for Public Broadcasting or suggest that perhaps in some fashion we should send them a message, should be reminded that we are appropriating only 20 percent today or authorizing the expenditure of only 20 percent of the systemwide revenue of the Corporation for Public Broadcasting.

Additionally, I think it is extremely important for us to understand what in my opinion is a tremendous disingenuousness in presenting to this House the notion that this bill represents a 50-percent increase in funding. It does not represent a 50-percent increase in funding.

In 1981 this Congress under the leadership of the existing occupant of the White House slashed funding for the Corporation for Public Broadcasting from \$220 million per year to \$130 million per year, ostensibly for the purpose of carrying out an experiment to see whether or not the system could find private sources of funding that would make up the difference. That experiment was carried out. That experiment failed and we are here today to ask the Congress to restore the previously existing level of funding and no more.

In fact, this bill calls for an amount of funding which is itself 15 percent less than what the Corporation for Public Broadcasting presented to our committee as the minimum necessary to sustain its programming agenda.

I think it is very, very important for this House to reject, first of all, what I consider to be a very unfortunate use of the figures, and second, to cease and to reject as representatives of the American public this unceasing assault on public education, unceasing assault on education of the public through

television, that continues to come from the leadership of the minority.

We ask that public broadcasting be restored to the minimum survival levels necessary to carry it forward as has been determined by the Bipartisan Temporary Commission on Alternative Public Financing, that was well served by my colleague, the gentleman from Washington [Mr. SWIFT], and by the gentleman from Iowa [Mr. TAUKE] as well.

I call upon the House in my remarks today simply to reject what I consider to be a disingenuous use of the figures, to recognize that this is not a 50-percent increase. This is a restoration to the original levels of funding that is necessary to make this corporation viable and have continued success in terms of educating the public.

Mr. SWIFT. Mr. Chairman, will the gentleman yield.

Mr. BRYANT. I yield.

Mr. SWIFT. Mr. Chairman, I want to thank the gentleman for what he has just pointed out. What is the old phrase? "There are lies, damned lies, and statistics."

We have been tossing numbers around. Let me toss some numbers around. In 1984, the authorization was a 38-percent cut from the previous year and it is from that cut that they are extrapolating their figures. If you take the 1983 appropriation, not the 1984, the point I am making is that these percentages change depending on what you use as your base figures. If you use the authorization of 1983, there has been a 3.8, less than 4 percent increase every year. In fact, the total increase over that period of time is only 9 percent.

What the other side is using, they are using the figures after the Draconian 38-percent cut that occurred in 1984.

Very frankly, the figures in the committee bill, the figures that exist, I think this is very revealing, the figures that are contained in this bill are the figures that have been commonly referred to as we have gone through the legislative process as the Goldwater figures.

Mr. BRYANT. That is correct.

Mr. SWIFT. They are the figures that came out of the Senate in June. These are what we have constantly considered the Goldwater figures. They are hardly radical, particularly coming from the senior Senator from Arizona.

So I completely agree with the gentleman. The figures have been sorely abused here on the floor. We are talking about a very modest increase.

Mr. BRYANT. Mr. Chairman, I thank the gentleman for his remarks and would simply add also that once we have restored the level of funding that was cut in 1981 by passing this bill today unamended, the amount of increase per year after that amounts

to only 6 percent a year, again a very rational and very reasonable figure which is I am afraid not well represented, to say the least, by the statements of the proponents of the pending amendment.

I strongly urge the Members of the House to defeat the Oxley amendment and to pass this bill unamended.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(At the request of Mr. NIELSON of Utah, and by unanimous consent, Mr. BRYANT was allowed to proceed for an additional 2 minutes.)

Mr. NIELSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. BRYANT. I yield to the gentleman from Utah.

Mr. NIELSON of Utah. Mr. Chairman, in response to the comments that have been made by the two gentlemen who just spoke in reference to the numbers I gave, it is not a question of where we would like to have been and where we were in 1981 when these figures were passed. It is where we are right now. From 162 to 238 is a 47-percent increase, as I indicated.

It is true that if you had continued in 1981 with that same figure, they would be higher now, but that is not where we are now. We are at 162 with the supplemental and this goes to 238 and I think that is an increase that is more than we can stand.

Mr. BRYANT. Well, Mr. Chairman, reclaiming my time, I would simply say that I would prefer to think in terms of where we would have been today with public broadcasting had it not been for the Draconian cuts that took place in 1981. I prefer to look at it that way. The fact is that we would be today in a situation where we had a strong and viable Corporation for Public Broadcasting instead of one that is stumbling.

Mr. Chairman, I yield back the remainder of my time.

Mr. TAUKE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I hope my colleagues on the Republican side of the aisle will listen briefly, because sometimes things appear differently from what they actually are. In this case, the numbers appear different from what they are.

Over the last 2 years, I spent a good deal of time on the Temporary Commission for Alternative Financing on Public Broadcasting. The members of the Temporary Commission from this House were Congressman SWIFT and myself. We went to that job with the task of trying to figure out how we could finance public broadcasting. Twenty percent of the money comes from the Federal Government, most comes from local governments, State governments and from private solicitation.

Now, people may ask themselves why are we asking for these increases in support for public broadcasting? It is not because anybody wants to come up here and try to defend substantial increases in authorizations for fiscal years 1987, 1988, and 1989. It is because we tried to find alternative ways to finance this system and we came up short. We spent 2 years looking at ways in which we could lease out public broadcasting facilities so that others could come in on commercial enterprises, use those facilities to make commercials or to do some kind of film making.

We looked at ways in which the public broadcasting facilities could provide other services. We looked at advertising. Some of you may recall that I was the primary advocate of some kind of advertising on public broadcasting when we last debated this measure.

We had an experiment during which a number of stations considered advertising, but all those efforts came up short. We could raise some money, additional money for public broadcasting, but not enough to meet the needs.

Now, the bottom line, Mr. Chairman, is that the need is not at your local stations, although they may have some need, but most of them can keep themselves afloat. The need is for the production of the programming that is broadcast on those local stations. In Iowa we have a fine facility. We are able to meet our local needs, but what are we going to put on the air? It is the programs that come from the stations in Boston, in New York, and other places.

□ 1640

Unless we provide some funding, those programs are not going to be produced. I do not care how much your State government or your local government or your friends organizations raise for public broadcasting, they are not going to have the resources to have good programming on the air.

Ladies and gentlemen, that is what this is about. We have made a solid effort in this House to find alternative ways to finance this system after we cut the system 38 percent and we have made a solid effort to do that and we failed to come up with alternative methods.

It is irresponsible, in my judgment, for us now to then turn around and say well, even though we failed to come up with the alternative method, we are still going to maintain the spending cuts because if you do that you are going to have a solid public broadcasting system.

So very truthfully, with all respect to my colleagues who are standing on the principle of fiscal responsibility, which I, too, like to embrace, it is fiscally irresponsible to cut this system

in a way which throws out what we have gained so far and which makes the facilities which we have built virtually useless because we do not have the programming to put on them which undercuts the private sector efforts that are needed in order to finance most of this system, which leaves our States hanging high and dry supporting facilities with nothing to broadcast over those facilities.

So if you are interested in having something decent on the air, the small amount of money that we are putting up here is going to keep something decent on the air and make all of that other investment worthwhile. That is why we have to spend a little time arguing about this because you need to understand we cut substantially. We tried it and it did not work. We are now going back to the levels of funding we had before, no big increases, going back to where we were before, and we are at the same time trying to extend and improve this system so that we can use it for educational purposes and use it for the other purposes which have made public broadcasting so widely accepted and ever increasingly accepted in our country.

Mr. WIRTH. Will the gentleman yield?

Mr. TAUKE. I am happy to yield.

Mr. WIRTH. I thank the gentleman for yielding.

The gentleman from Iowa [Mr. TAUKE] has made the case for public broadcasting and against the amendment offered by the gentleman from Ohio [Mr. OXLEY]. I would join with my colleague in urging all Members to vote no on the Oxley amendment and then to vote yes on final passage.

I thank the gentleman for yielding and for his great help.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. TAUKE] has expired.

(By unanimous consent Mr. TAUKE was allowed to proceed for 30 additional seconds.)

Mr. TAUKE. I might just point out one more thing for my colleagues on this side, and that is that the other body has already passed this bill with these figures. These figures were brought to the forefront by Senator GOLDWATER after he, too, looked at this issue. It came out of our subcommittee with strong bipartisan support. It came out of the full committee with strong bipartisan support.

I think people ought to recognize that those who have studied the issue most closely realize that this is not any big increase in funding for public broadcasting, that it is trying to maintain a system with minimal Federal assistance.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio [Mr. OXLEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OXLEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 217, not voting 40, as follows:

[Roll No. 308]

AYES—176

Albosta	Gregg	O'Brien
Andrews (TX)	Gunderson	Obey
Applegate	Hall, Ralph	Olin
Archer	Hall, Sam	Oxley
Badham	Hammerschmidt	Packard
Barnard	Hance	Parris
Bartlett	Hartnett	Pashayan
Bateman	Hightower	Patman
Bennett	Hiler	Paul
Bereuter	Hillis	Penny
Bethune	Holt	Petri
Bevill	Hopkins	Pickle
Billakis	Huckaby	Porter
Bliley	Hughes	Pursell
Bosco	Hunter	Quillen
Broomfield	Hutto	Ray
Brown (CO)	Hyde	Regula
Broyhill	Ireland	Ritter
Burton (IN)	Jenkins	Roberts
Campbell	Johnson	Robinson
Carney	Jones (OK)	Roemer
Carper	Kasich	Rogers
Chapple	Kazen	Roukema
Cheney	Kemp	Rowland
Coats	Kindness	Rudd
Coleman (MO)	Kiecicka	Schaefer
Conable	Kolter	Schulze
Corcoran	Lagomarsino	Sensenbrenner
Coughlin	Latta	Shaw
Courter	Leach	Shumway
Craig	Leath	Shuster
Crane, Daniel	Lent	Siljander
Daniel	Levitas	Sisk
Dannemeyer	Lewis (FL)	Slattery
Darden	Livingston	Smith (NE)
Daub	Lloyd	Smith (NJ)
de la Garza	Loeffler	Snyder
Derrick	Lott	Solomon
DeWine	Lowery (CA)	Spence
Dickinson	Lungren	Stangeland
Dreier	Mack	Stenholm
Dyson	Madigan	Sundquist
Edwards (OK)	Martin (IL)	Tallon
Emerson	McCain	Tauzin
English	McCandless	Taylor
Erdreich	McCollum	Thomas (CA)
Erlenborn	McCurdy	Valentine
Evans (IA)	McEwen	Vander Jagt
Fiedler	McGrath	Vandergriff
Fields	McKernan	Walker
Frenzel	Michel	Watkins
Gekas	Miller (OH)	Weber
Gibbons	Molinari	Whittaker
Gilman	Montgomery	Winn
Gingrich	Moore	Wolf
Glickman	Moorhead	Wylie
Goodling	Murphy	Young (FL)
Gradison	Myers	Zschau
Gramm	Nielson	

NOES—217

Ackerman	Borski	Conyers
Addabbo	Boucher	Cooper
Akaka	Boxer	Coyne
Alexander	Breaux	Crane, Philip
Anderson	Brooks	Daschle
Annunzio	Brown (CA)	Davis
Anthony	Bryant	Dellums
Aspin	Burton (CA)	Dicks
Barnes	Byron	Dingell
Bates	Carr	Dixon
Bedell	Chandler	Donnelly
Beilenson	Chappell	Dorgan
Berman	Clarke	Downey
Boehlert	Clinger	Duncan
Boggs	Coelho	Durbin
Boland	Coleman (TX)	Dwyer
Bonior	Collins	Dymally
Bonker	Conte	Early

Eckart	Lujan	Russo
Edgar	Luken	Sabo
Edwards (AL)	Lundine	Savage
Edwards (CA)	MacKay	Sawyer
Evans (IL)	Markey	Scheuer
Fascell	Martin (NY)	Schneider
Fazio	Martinez	Schroeder
Feighan	Matsui	Schumer
Ferraro	Mavroules	Seiberling
Fish	Mazzoli	Sharp
Flippo	McCloskey	Shelby
Florio	McDade	Sikorski
Foglietta	McHugh	Skeen
Foley	McKinney	Skelton
Ford (MI)	McNulty	Smith (FL)
Frank	Mica	Smith (IA)
Fuqua	Mikulski	Snowe
Garcia	Miller (CA)	Solarz
Gaydos	Mineta	St. Germain
Gephardt	Minish	Staggers
Gonzalez	Mitchell	Stark
Gore	Moakley	Stokes
Gray	Mollohan	Stratton
Green	Moody	Studds
Guarini	Morrison (CT)	Swift
Hall (IN)	Morrison (WA)	Synar
Hall (OH)	Mrazek	Tauke
Hamilton	Murtha	Thomas (GA)
Harkin	Natcher	Torricelli
Hatcher	Neal	Traxler
Hayes	Nelson	Udall
Hefner	Nowak	Vento
Hertel	Oaker	Volkmer
Horton	Oberstar	Vucanovich
Howard	Ortiz	Walgren
Hoyer	Ottinger	Weaver
Hubbard	Owens	Weiss
Jacobs	Panetta	Wheat
Jeffords	Patterson	Whitehurst
Jones (NC)	Pease	Whitley
Kaptur	Pepper	Whitten
Kastenmeier	Perkins	Williams (MT)
Kennelly	Price	Williams (OH)
Kildee	Pritchard	Wilson
Kostmayer	Rahall	Wirth
LaFalce	Rangel	Wise
Lantos	Ratchford	Wolpe
Lehman (CA)	Reid	Wortley
Lehman (FL)	Richardson	Wright
Leland	Ridge	Wyden
Levin	Rinaldo	Yates
Levine	Roe	Yatron
Lipinski	Rose	Young (AK)
Long (LA)	Roth	
Lowry (WA)	Roybal	

NOT VOTING—40

Andrews (NC)	Hansen (ID)	Rodino
AuCoin	Hansen (UT)	Rostenkowski
Blaggi	Harrison	Shannon
Boner	Hawkins	Simon
Britt	Heftel	Smith, Denny
Clay	Jones (TN)	Smith, Robert
Crockett	Kogovsek	Spratt
D'Amours	Kramer	Stump
Dowdy	Lewis (CA)	Torres
Ford (TN)	Long (MD)	Towns
Fowler	Marlenee	Waxman
Franklin	Marriott	Young (MO)
Frost	Martin (NC)	
Gejdenson	Nichols	

□ 1700

The Clerk announced the following pairs:

On this vote:

Mr. Franklin for, with Mr. Young of Missouri against.

Mr. Denny Smith for, with Mr. Hawkins against.

Mr. ANDREWS of Texas changed his vote from "no" to "aye."

So the amendments were rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any additional amendments to section 2?

If not, the Clerk will designate section 3.

The text of section 3 is as follows:

AUTHORIZATION OF APPROPRIATIONS FOR PUBLIC BROADCASTING

SEC. 3. (a) Section 396(k)(1)(C) of the Communications Act of 1934 (47 U.S.C. 396(k)(1)(C)) is amended—

(1) by striking out "and 1986" and inserting in lieu thereof "1986, 1987, 1988, and 1989";

(2) by striking out "and" after "1985,"; and

(3) by inserting before the period at the end thereof the following: ", \$238,000,000 for fiscal year 1987, \$253,000,000 for fiscal year 1988, and \$270,000,000 for fiscal year 1989".

(b) Section 396(k)(3)(A)(i)(II) of such Act (47 U.S.C. 396(k)(3)(A)(i)(II)) is amended by striking out "research, training, technical assistance, engineering, instructional support, payment of interest on indebtedness,".

□ 1710

The CHAIRMAN. Are there any amendments to section 3? If not, the Clerk will designate section 4.

The text of section 4 is as follows:

CRITERIA FOR APPROVAL AND EXPENDITURES BY SECRETARY OF COMMERCE

SEC. 4. Section 393 of the Communications Act of 1934 (47 U.S.C. 393) is amended by striking out subsection (c) and by redesignating subsection (d) as subsection (c).

The CHAIRMAN. Are there any amendments to section 4? If not, the Clerk will designate section 5.

The text of section 5 is as follows:

REPEAL OF THE UNRELATED BUSINESS INCOME TAX PENALTY

SEC. 5. Section 396(k) of the Communications Act of 1934 (47 U.S.C. 396(k)) is amended by striking out paragraph (8) and by redesignating paragraphs (9) and (10) as paragraphs (8) and (9), respectively.

The CHAIRMAN. Are there any further amendments?

If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GLICKMAN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5541) to amend the Communications Act of 1934 to extend certain authorizations of appropriations contained in such act, and for other purposes, pursuant to House Resolution 521, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that if a rollcall vote is taken on the bill now pending, the votes ordered on suspension of the rules, H.R. 1580 and H.R. 5616, be taken by no more than 5-minute votes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. LOTT. Reserving the right to object, Mr. Speaker, and I do not intend to object, just to clarify for all the Members what is being requested here, it is just that we have a 5-minute vote on the two suspensions now pending; is that correct?

Mr. FOLEY. That is correct.

Mr. LOTT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. That is the case if there is a rollcall on this bill.

Is there objection to the request of the gentleman from Washington [Mr. FOLEY]?

There was no objection.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. LEVITAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Chair would remind the Members that this is a 15-minute vote followed by two 5-minute votes.

The vote was taken by electronic device, and there were—yeas 302, nays 91, answered "present" 1, not voting 39, as follows:

[Roll No. 309]

YEAS—302

Ackerman	Clarke	Fascell
Addabbo	Clinger	Fazio
Akaka	Coelho	Feighan
Albosta	Coleman (MO)	Ferraro
Alexander	Coleman (TX)	Fish
Anderson	Collins	Flippo
Andrews (TX)	Conable	Florio
Annuzio	Conte	Foglietta
Anthony	Conyers	Foley
Applegate	Cooper	Ford (MI)
Aspin	Corcoran	Frank
Barnard	Coughlin	Fuqua
Barnes	Courter	Garcia
Bates	Coyne	Gaydos
Bedell	Darden	Gekas
Bellenson	Daschle	Gephardt
Bennett	Davis	Gibbons
Bereuter	de la Garza	Gillman
Berman	Dellums	Glickman
Bevill	Derrick	Gonzalez
Boehlert	Dicks	Goodling
Boggs	Dingell	Gore
Boland	Dixon	Gray
Bonior	Donnelly	Green
Bonker	Dorgan	Guarini
Borski	Downey	Hall (IN)
Bosco	Duncan	Hall (OH)
Boucher	Durbin	Hall, Ralph
Boxer	Dwyer	Hamilton
Breaux	Dymally	Hammerschmidt
Brooks	Dyson	Hance
Brown (CA)	Early	Harkin
Bryant	Eckart	Hatcher
Burton (CA)	Edgar	Hayes
Byron	Edwards (AL)	Hefner
Carper	Edwards (CA)	Hertel
Carr	English	Hightower
Chandler	Erdreich	Horton
Chappell	Evans (IA)	Howard
Chapple	Evans (IL)	Hoyer

Hubbard	Mineta	Sharp
Huckaby	Minish	Shelby
Hughes	Mitchell	Sikorski
Hunter	Moakley	Sisisky
Hutto	Molinari	Skeen
Ireland	Mollohan	Skelton
Jacobs	Montgomery	Slattery
Jeffords	Moody	Smith (FL)
Jenkins	Morrison (CT)	Smith (IA)
Johnson	Morrison (WA)	Smith (NJ)
Jones (NC)	Mrazek	Snowe
Jones (OK)	Murphy	Snyder
Kaptur	Murtha	Solarz
Kastenmeier	Natcher	Spence
Kazen	Neal	St Germain
Kennelly	Nelson	Staggers
Kildee	Nowak	Stark
Klecza	Oakar	Stokes
Kolter	Oberstar	Stratton
Kostmayer	Obey	Studds
LaFalce	Olin	Sundquist
Lantos	Ortiz	Swift
Leach	Ottenger	Synar
Leath	Owens	Tallon
Lehman (CA)	Panetta	Tauke
Lehman (FL)	Parris	Tauzin
Leland	Patman	Taylor
Lent	Patterson	Thomas (GA)
Levin	Pease	Torricelli
Levine	Penny	Traxler
Levitas	Pepper	Udall
Lewis (FL)	Perkins	Valentine
Lipinski	Pickle	Vander Jagt
Lloyd	Porter	Vandergriff
Long (CA)	Price	Vento
Lowery (CA)	Pritchard	Volkmer
Lowry (WA)	Pursell	Vucanovich
Lujan	Rahall	Walgren
Lukens	Rangel	Watkins
Lundine	Ratchford	Weaver
MacKay	Ray	Weiss
Madigan	Reid	Wheat
Markey	Richardson	Whitehurst
Martin (NY)	Ridge	Whitley
Martinez	Rinaldo	Whitten
Matsui	Roe	Williams (MT)
Mavroules	Rogers	Williams (OH)
Mazzoli	Rose	Wilson
McCaIn	Roth	Wirth
McCloskey	Rowland	Wise
McCollum	Roybal	Wolf
McCurdy	Russo	Wolpe
McDade	Sabo	Wortley
McHugh	Savage	Wright
McKernan	Sawyer	Wyden
McKinney	Scheuer	Wyllie
McNulty	Schneider	Yates
Mica	Schroeder	Yatron
Mikulski	Schulze	Young (AK)
Miller (CA)	Schumer	Young (FL)
Miller (OH)	Seiberling	

NAYS—91

Archer	Gradison	Oxley
Badham	Gramm	Packard
Bartlett	Gregg	Pashayan
Bateman	Gunderson	Paul
Bethune	Hall, Sam	Petri
Billirakis	Hartnett	Quillen
Bliley	Hiller	Regula
Broomfield	Hillis	Ritter
Brown (CO)	Holt	Roberts
Broyhill	Hopkins	Robinson
Burton (IN)	Hyde	Roemer
Campbell	Kasich	Roukema
Carney	Kemp	Rudd
Cheney	Kindness	Schaefer
Coats	Lagomarsino	Sensenbrenner
Craig	Latta	Shaw
Crane, Daniel	Livingston	Shumway
Crane, Philip	Loeffler	Shuster
Daniel	Lott	Siljander
Dannemeyer	Lungren	Smith (NE)
Daub	Mack	Solomon
DeWine	Martin (IL)	Stangeland
Dickinson	McCandless	Stenholm
Dreier	McEwen	Thomas (CA)
Edwards (OK)	McGrath	Walker
Emerson	Michel	Weber
Erlenborn	Moore	Whittaker
Fiedler	Moorhead	Winn
Fields	Myers	Zschau
Frenzel	Nielson	
Gingrich	O'Brien	

ANSWERED "PRESENT"—1

Long (MD)

NOT VOTING—39

Andrews (NC)	Gejdenson	Nichols
AuCoin	Hansen (ID)	Rodino
Biaggi	Hansen (UT)	Rostenkowski
Boner	Harrison	Shannon
Britt	Hawkins	Simon
Clay	Heftel	Smith, Denny
Crockett	Jones (TN)	Smith, Robert
D'Amours	Kogovsek	Spratt
Dowdy	Kramer	Stump
Ford (TN)	Lewis (CA)	Torres
Fowler	Marlenee	Townes
Franklin	Marriott	Waxman
Frost	Martin (NC)	Young (MO)

□ 1720

The Clerk announced the following pairs:

On this vote:

Mr. Young of Missouri for, with Mr. Franklin against.

Mr. Hawkins for, with Mr. Denny Smith against.

Messrs. ROBINSON, SAM B. HALL, JR., and RITTER changed their votes from "yea" to "nay."

Mr. EDWARDS of California changed his vote from "nay" to "yea." So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1730

Mr. WIRTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2436) to authorize appropriations of funds for activities of the Corporation for Public Broadcasting, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. DANNEMEYER. Mr. Speaker, reserving the right to object, this Member from California could not hear what the gentleman from Colorado said in connection with his request because the House is not in order, and I would like to just hear what the gentleman is asking be done.

Mr. WIRTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2436) to authorize appropriations of funds for activities of the Corporation for Public Broadcasting, and for other purposes, and ask for its immediate consideration.

I will then move, I say to the gentleman from California [Mr. DANNEMEYER] to strike out all after the enacting clause, substitute the bill we just passed for the Senate bill, and then pass this bill.

Mr. DANNEMEYER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to the provisions of clause 5, rule I, the Chair will not put the question on each motion on which further proceedings were postponed in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 1580, and H.R. 5616, both by the yeas and nays. These will be 5-minute votes.

AVIATION DRUG-TRAFFICKING CONTROL ACT

The SPEAKER. The pending business is the question of suspending the rules and passing the bill, H.R. 1580, as amended.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. MINETA] that the House suspend the rules and pass the bill, H.R. 1580, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 393, nays 1, not voting 39, as follows:

[Roll No. 310]

YEAS—393

Ackerman	Cheney	Evans (IL)
Addabbo	Clarke	Fascell
Akaka	Clinger	Fazio
Albosta	Coats	Felghan
Alexander	Coelho	Ferraro
Anderson	Coleman (MO)	Fiedler
Andrews (TX)	Coleman (TX)	Fields
Annunzio	Collins	Fish
Applegate	Conable	Flippo
Archer	Conte	Florio
Aspin	Conyers	Foglietta
Badham	Cooper	Foley
Barnard	Corcoran	Ford (MI)
Barnes	Coughlin	Frank
Bartlett	Courter	Frenzel
Bateman	Coyne	Fuqua
Bates	Craig	Garcia
Bedell	Crane, Daniel	Gaydos
Beilenson	Crane, Philip	Gekas
Bennett	Daniel	Gephardt
Bereuter	Dannemeyer	Gibbons
Berman	Darden	Gilman
Bethune	Daschle	Gingrich
Bevill	Daub	Glickman
Billirakis	Davis	Gonzalez
Bliley	de la Garza	Goodling
Boehlert	Dellums	Gore
Boggs	Derrick	Gradison
Boland	DeWine	Gramm
Bonior	Dickinson	Gray
Bonker	Dicks	Green
Borski	Dingell	Gregg
Boucher	Dixon	Guarini
Boxer	Donnelly	Gunderson
Breaux	Dorgan	Hall (IN)
Britt	Downey	Hall (OH)
Brooks	Dreier	Hall, Ralph
Broomfield	Duncan	Hall, Sam
Brown (CA)	Durbin	Hamilton
Brown (CO)	Dwyer	Hammerschmidt
Broyhill	Dymally	Hance
Bryant	Dyson	Harkin
Burton (CA)	Early	Hartnett
Burton (IN)	Eckart	Hatcher
Byron	Edgar	Hayes
Campbell	Edwards (AL)	Hefner
Carney	Edwards (CA)	Hertel
Carper	Edwards (OK)	Hightower
Carr	Emerson	Hiler
Chandler	English	Hillis
Chappell	Erdreich	Holt
Chapple	Erlenborn	Hopkins
	Evans (IA)	Horton

Howard	Miller (CA)	Schulze
Hoyer	Miller (OH)	Schumer
Hubbard	Mineta	Selberling
Huckaby	Minish	Sensenbrenner
Hughes	Mitchell	Sharp
Hunter	Moakley	Shaw
Hutto	Molinar	Shelby
Hyde	Molohan	Shumway
Ireland	Montgomery	Shuster
Jacobs	Moody	Shivers
Jeffords	Moore	Sikorski
Jenkins	Moorhead	Siljander
Johnson	Morrison (CT)	Sisk
Jones (NC)	Morrison (WA)	Skelton
Jones (OK)	Mrazek	Slattery
Kaptur	Murphy	Smith (FL)
Kasich	Murtha	Smith (IA)
Kastenmeier	Myers	Smith (NE)
Kazen	Natcher	Smith (NJ)
Kemp	Neal	Snowe
Kennelly	Nelson	Snyder
Kildee	Nichols	Solarz
Kindness	Nielson	Solomon
Klecza	Nowak	Spence
Kolter	O'Brien	St Germain
Kostmayer	Oakar	Staggers
LaFalce	Oberstar	Stangeland
Lagomarsino	Obey	Stark
Lantos	Olin	Stenholm
Latta	Ortiz	Stokes
Leach	Ottlinger	Stratton
Leath	Owens	Studds
Lehman (CA)	Oxley	Sundquist
Lehman (FL)	Packard	Swift
Leland	Panetta	Synar
Lent	Parris	Tallion
Levin	Pashayan	Tauke
Levine	Patman	Tauzin
Levitas	Patterson	Taylor
Lewis (FL)	Pease	Thomas (CA)
Lipinski	Penny	Thomas (GA)
Livingston	Pepper	Torricelli
Lloyd	Perkins	Traxler
Loeffler	Petri	Udall
Long (LA)	Pickle	Valentine
Long (MD)	Porter	Vander Jagt
Lott	Price	Vandergriff
Lowery (CA)	Pritchard	Vento
Lowry (WA)	Pursell	Volkmer
Lujan	Quillen	Vucanovich
Luken	Rahall	Walgren
Lundine	Rangel	Walker
Lungren	Ratchford	Watkins
Mack	Ray	Weaver
MacKay	Regula	Weber
Madigan	Reid	Weiss
Markey	Richardson	Wheat
Martin (IL)	Ridge	Whitehurst
Martin (NY)	Rinaldo	Whitley
Martinez	Ritter	Whittaker
Matsui	Roberts	Whitten
Mavroules	Robinson	Williams (MT)
Mazzoli	Roe	Williams (OH)
McCain	Roemer	Wilson
McCandless	Rogers	Winn
McCloskey	Rose	Wirth
McCollum	Roth	Wise
McCurdy	Roukema	Wolf
McDade	Rowland	Wolpe
McEwen	Roybal	Wortley
McGrath	Rudd	Wright
McHugh	Russo	Wyden
McKernan	Sabo	Wyllie
McKinney	Savage	Yates
McNulty	Schaefer	Yatron
Mica	Scheuer	Young (AK)
Michel	Schneider	Young (FL)
Mikulski	Schroeder	Zschau

NAYS—1

Paul

NOT VOTING—39

Andrews (NC)	Gedjenson	Rodino
AuCoin	Hansen (ID)	Rostenkowski
Blaggi	Hansen (UT)	Sawyer
Boner	Harrison	Shannon
Bosco	Hawkins	Simon
Clay	Heffel	Smith, Denny
Crockett	Jones (TN)	Smith, Robert
D'Amours	Kogovsek	Spratt
Dowdy	Kramer	Stump
Ford (TN)	Lewis (CA)	Torres
Fowler	Marlenee	Towns
Franklin	Marriott	Waxman
Frost	Martin (NC)	Young (MO)

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1740

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and Transportation be discharged from further consideration of the Senate bill (S. 1146) to amend the Federal Aviation Act of 1958 to provide for the revocation of the airman certificates and for additional penalties for the transportation by aircraft of controlled substances, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. McEWEN. Mr. Speaker, reserving the right to object, I do so for the purpose of asking the gentleman if he has cleared this with the minority and what arrangements they have agreed to.

Mr. MINETA. Mr. Speaker, if the gentleman will yield, this has been cleared with the minority, and they are well aware of this request.

Mr. McEWEN. As a member of the subcommittee, I regret that I was not informed.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1146

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Aviation Drug-Trafficking Control Act".

SEC. 2. (a) Section 609 of the Federal Aviation Act of 1958 (49 U.S.C. 1429) is amended by adding at the end thereof the following new subsection:

TRANSPORTATION, DISTRIBUTION, OR OTHER ACTIVITIES RELATED TO CONTROLLED SUBSTANCES

"(c)(1) The Administrator shall issue an order revoking the airman certificates of any person upon conviction of such person for any felony violation of a State or Federal law relating to a controlled substance (other than a law relating to simple possession of a controlled substance) if the Administrator determines that (A) an aircraft was used in connection with the commission of the offense and (B) such person knowingly either served as an airman in connection with the offense or was on board the aircraft in connection with the offense.

"(2) The Administrator shall issue an order revoking the airman certificates of any person if the Administrator determines that—

"(A) the airman has engaged in an activity which he knew, or had reasonable cause to know, was intended to distribute, import, or export a controlled substance;

"(B) an aircraft was used in such activity or to facilitate such activity;

"(C) the airman either served as an airman in connection with such activity or was on board the aircraft in connection with such activity;

"(D) the controlled substance was not part of the legitimate official supplies of such aircraft;

"(E) the controlled substance was not part of the cargo entered in the manifest of an aircraft engaged in the usual course of business of a common on contract carrier certificated to carry cargo under the provisions of this Act; and

"(F) the airman (or his employer) was not authorized to distribute, import, or export (as the case may be) the controlled substance under any State or Federal law or under the authority of any State or Federal agency.

For the purpose of subparagraph (F) of this paragraph, if the Administrator determines that the airman (or his employer) was not registered to distribute, import, or export (as the case may be) the controlled substance in question pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) or section 1007 of the Controlled Substances Import and Export Act (21 U.S.C. 957), the burden of proof shall be on the airman to establish that he (or his employer) was authorized to distribute, import, or export (as the case may be) such controlled substance under any State or Federal law or under the authority of any State or Federal agency. This paragraph is intended to reach activity occurring within the territorial jurisdiction of the United States, or without the territorial jurisdiction of the United States, or both.

"(3) Prior to revoking an airman certificate under this subsection, the Administrator shall advise the holder thereof of the charges or any reasons relied upon by the Administrator for his proposed action and shall provide the holder of such certificate an opportunity to answer any charges and be heard as to why such certificate should not be revoked. Any person whose certificate is revoked by the Administrator pursuant to this subsection may appeal the Administrator's order to the Board and the Board shall, after notice and a hearing on the record, affirm, amend, modify, or reverse the Administrator's order. In the conduct of its hearings, the Board shall not be bound by findings of fact of the Administrator. The filing of an appeal with the Board shall stay the effectiveness of the Administrator's order unless the Administrator advises the Board that safety in air commerce or air transportation requires the immediate effectiveness of his order, in which event the order shall remain effective and the Board shall finally dispose of the appeal within 60 days after being so advised by the Administrator. A person whose certificate is revoked by the Board's order may obtain judicial review of said order under the provisions of section 1006. The filing of an application for such judicial review shall not stay the effectiveness of the Board's order.

"(4) In any proceeding pursuant to this subsection, the findings of an appropriate State or Federal court as to any element of proof required by this subsection shall be conclusive and neither the Administrator

nor the Board shall have the authority to review such issue.

"(5) In any proceeding pursuant to paragraph (2) of this subsection—

"(A) neither the Administrator nor the Board shall be required, or have the authority, to determine if any activity constitutes a violation of any State or Federal law relating to a controlled substance;

"(B) no part of the record of such proceeding shall be admitted as evidence in any State or Federal criminal proceeding; and

"(C) neither the Administrator nor the Board shall have the authority to revoke the airman certificate of any person who has been the subject of a criminal indictment or information concerning the activity related to a controlled substance and who has been acquitted in a State or Federal court of all charges related to such activity.

"(6) For the purposes of this subsection, the terms 'controlled substance' and 'distribute' shall have the same meaning given such terms by section 102 of the Controlled Substances Act (21 U.S.C. 802) and the terms 'import' and 'export' shall have the same meaning given such terms by section 1001 of the Controlled Substances Import and Export Act (21 U.S.C. 951)."

(b) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading:

"Sec. 609. Amendment, suspension, and revocation of certificates."

is amended by adding at the end thereof:

"(c) Transportation, distribution, or other activity related to controlled substances."

Sec. 3. Section 602(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1422(b)) is amended by inserting "(1)" after "(b)" and by adding at the end thereof the following new paragraph:

"(2)(A) Except as provided in subparagraph (B), the Administrator shall not issue an airman certificate to any person whose airman certificate has been revoked pursuant to subsection (c) of section 609 of this title during the 5-year period beginning on the date of such revocation.

"(B) The Administrator may issue an airman certificate to any such person before the end of such 5-year period (but not before the end of the 1-year period beginning on the date of such revocation) if, in addition to the findings required by paragraph (1), the Administrator determines (i) that revocation of the certificate for such 5-year period would be excessive considering the nature of the offense or the act committed and the burden which revocation places on such person, or (ii) that revocation of the certificate for such 5-year period would not be in the public interest. The determinations under clauses (i) and (ii) of the preceding sentence shall be within the discretion of the Administrator and any such determination or failure to make such a determination shall not be subject to administrative or judicial review.

"(C) Notwithstanding any other provisions of this paragraph, in any case in which the Administrator has revoked the airman certificate of any person pursuant to section 601(c) (1) or (2) as a result of any activity related to a controlled substance and such person is subsequently acquitted of all charges related to such activity in any criminal indictment or information arising from such activity, the Administrator shall issue a certificate to such person if such person is otherwise qualified to serve as an airman under the provisions of this Act."

Sec. 4. Section 501(e) of the Federal Aviation Act of 1958 (49 U.S.C. 1401(e)) is amended by inserting "(1)" after "(e)" and by adding at the end thereof the following new paragraph:

"(2)(A) The Administrator shall issue an order revoking the certificate of registration issued to an owner under this section for an aircraft and each other certificate of registration held by such owner under this section, if the Administrator determines that—

"(i) such aircraft has been used in an activity, or to facilitate an activity that is a felony violation of any State or Federal law relating to a controlled substance (other than any law relating to simple possession of a controlled substance); and

"(ii) the use of the aircraft was permitted by such owner who knew, or had reasonable cause to know, that the aircraft was intended to be used for activity described in clause (i) of this subparagraph.

For purposes of this paragraph, an owner of an aircraft who is not an individual shall be considered to know, or to have reasonable cause to know, the intended use of an aircraft only if a majority of the individuals who control such owner or who are involved in forming the major policy of such owner knew, or had reasonable cause to have known, of such intended use.

"(B) Prior to revoking any certificate of registration under this subsection the Administrator shall advise the holder thereof of the charges or any reasons relied upon by the Administrator for his proposed action and shall provide the holder of the certificate of registration an opportunity to answer any charges and be heard as to why such certificate should not be revoked. Any person whose certificate of registration is revoked by the Administrator pursuant to this subsection may appeal the Administrator's order to the Board and the Board shall, after notice and a hearing on the record, affirm, amend, modify, or reverse the Administrator's order. In the conduct of its hearings, the Board shall not be bound by findings of fact of the Administrator. The filing of an appeal with the Board shall stay the effectiveness of the Administrator's order unless the Administrator advises the Board that safety in air commerce or air transportation requires the immediate effectiveness of his order, in which event the order shall remain effective and the Board shall finally dispose of the appeal within 60 days after being so advised by the Administrator. The person whose certificate of registration is revoked by the Board's order may obtain judicial review of said order under the provisions of section 1006. The filing of an application for such judicial review shall not stay the effectiveness of the Board's order.

"(C) In any proceeding under this paragraph—

"(i) the term 'controlled substance' shall have the same meaning given such term by section 102 of the Controlled Substances Act (21 U.S.C. 802);

"(ii) no part of the record of such proceeding shall be admitted as evidence in any State or Federal criminal proceeding;

"(iii) neither the Administrator nor the Board shall have the authority to revoke any certificate of registration if the owner of such aircraft has been the subject of a criminal indictment or information concerning the alleged illegal activity related to a controlled substance and has been acquitted in a State or Federal court of all such charges; and

"(iv) the findings of an appropriate State or Federal court as to any element of proof required by such paragraph shall be conclusive and neither the Administrator nor the Board shall have the authority to review such issue.

"(D) Notwithstanding any other provision of this paragraph, in any case in which the Administrator has revoked the certificate of registration of any person as a result of any activity related to controlled substance and such person is subsequently acquitted of all charges related to such activity in any criminal indictment or information arising from such activity, the Administrator shall issue a certificate of registration to such person if such person is otherwise qualified for such a certificate under the provision of this Act.

"(E) Except as provided in subparagraph (F), the Administrator shall not issue a certificate of registration to any person who has had a certificate revoked pursuant to subparagraph (A) of this paragraph during the 5-year period beginning on the date of such revocation.

"(F) The Administrator may issue a certificate of registration for an aircraft to any such person before the end of such 5-year period (but not before the end of the 1-year period beginning on the date of such revocation) if the Administrator determines that such aircraft is otherwise eligible for registration under this section and (i) that revocation of the certificate for such 5-year period would be excessive considering the nature of the offense or the act committed and the burden which revocation places on such person, or (ii) that revocation of the certificate for such 5-year period would not be in the public interest. The determinations under clauses (i) and (ii) of the preceding sentence shall be within the discretion of the Administrator and any such determination or failure to make such a determination shall not be subject to administrative or judicial review."

Sec. 5. Section 902(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(b)) is amended—

(1) by striking out "(b) Any person who" and inserting in lieu thereof "(b)(1) Except as provided in paragraph (2), any person who";

(2) by striking out "uses or attempts to use" and inserting in lieu thereof "sells, uses, attempts to use, or possesses with the intent to use"; and

(3) by adding at the end thereof the following new paragraph:

"(2)(A) Any person who violates paragraph (1) of this subsection (other than by selling a fraudulent certificate) with the intent to commit any act prohibited by the State or Federal felony law relating to controlled substances (other than any law relating to simple possession of a controlled substance) shall be subject to a fine not exceeding \$25,000 or to imprisonment not exceeding 5 years, or both.

"(B) Any person who violates paragraph (1) of this subsection by selling a fraudulent certificate with the knowledge that the purchaser intends to use such certificate in connection with any act prohibited by any State or Federal felony law relating to controlled substances (other than any law relating to simple possession of a controlled substance) shall be subject to a fine not exceeding \$25,000 or to imprisonment not exceeding 5 years, or both.

"(C) For purposes of this paragraph, the term 'controlled substance' has the meaning given such term by section 102(6) of the Controlled Substances Act."

SEC. 6. This Act and the amendments made by this Act shall apply with respect to acts and violations occurring after the date of enactment of this Act.

MOTION OFFERED BY MR. MINETA

Mr. MINETA. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MINETA moves to strike out all after the enacting clause of the Senate bill, S. 1146, and to insert in lieu thereof the provisions contained in the bill, H.R. 1580, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 1580) was laid on the table.

APPOINTMENT OF CONFEREES

Mr. MINETA. Mr. Speaker, I ask unanimous consent that the House insist on its amendments to the Senate bill, S. 1146 and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none, and appoints the following conferees: MESSRS. MINETA, ANDERSON, ROE, SNYDER, and HAMMERSCHMIDT.

GENERAL LEAVE

Mr. MINETA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the Senate bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

COUNTERFEIT-ACCESS DEVICE AND COMPUTER FRAUD AND ABUSE ACT OF 1984

The SPEAKER. The pending business is the question of suspending the rules and passing the bill, H.R. 5616, amended.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey [Mr. HUGHES] that the House suspend the rules and pass the bill, H.R. 5616, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 395, nays 0, not voting 38, as follows:

[Roll No. 311]

YEAS—395

Ackerman	Badham	Bevill
Addabbo	Barnard	Billirakis
Akaka	Barnes	Bliley
Albosta	Bartlett	Boehlert
Alexander	Bateman	Boggs
Anderson	Bates	Boland
Andrews (TX)	Bedell	Bonior
Annunzio	Bellenson	Bonker
Anthony	Bennett	Borski
Applegate	Bereuter	Boucher
Archer	Berman	Boxer
Aspin	Bethune	Breaux

Britt	Gore	McEwen
Brooks	Gradison	McGrath
Broomfield	Gramm	McHugh
Brown (CA)	Gray	McKernan
Brown (CO)	Green	McKinney
Broyhill	Gregg	McNulty
Bryant	Guarini	Mica
Burton (CA)	Gunderson	Michel
Burton (IN)	Hall (IN)	Mikulski
Byron	Hall (OH)	Miller (CA)
Campbell	Hall, Ralph	Miller (OH)
Carney	Hall, Sam	Mineta
Carper	Hamilton	Minish
Carr	Hammerschmidt	Mitchell
Chandler	Hance	Moakley
Chappell	Harkin	Molinari
Chapple	Hartnett	Mollohan
Cheney	Hatcher	Montgomery
Clarke	Hayes	Moody
Clinger	Hefner	Moore
Coats	Hertel	Moorhead
Coelho	Hightower	Morrison (CT)
Coleman (MO)	Hiller	Morrison (WA)
Coleman (TX)	Hillis	Mrazek
Collins	Holt	Murphy
Conable	Hopkins	Murtha
Conte	Horton	Myers
Conyers	Howard	Natcher
Cooper	Hoyer	Neal
Corcoran	Hubbard	Nelson
Coughlin	Huckaby	Nichols
Courter	Hughes	Nielson
Coyne	Hunter	Nowak
Craig	Hutto	O'Brien
Crane, Daniel	Hyde	Oakar
Crane, Philip	Ireland	Oberstar
Daniel	Jacobs	Obey
Dannemeyer	Jeffords	Olin
Darden	Jenkins	Ortiz
Daschle	Johnson	Ottlinger
Daub	Jones (NC)	Owens
Davis	Jones (OK)	Oxley
de la Garza	Kaptur	Packard
Dellums	Kasich	Panetta
Derrick	Kastenmeier	Parris
DeWine	Kazen	Pashayan
Dickinson	Kemp	Patman
Dicks	Kennelly	Patterson
Dingell	Kildee	Paul
Dixon	Kindness	Pease
Donnelly	Kiecicka	Penny
Dorgan	Kolter	Pepper
Downey	Kostmayer	Perkins
Dreier	LaFalce	Petri
Duncan	Lagomarsino	Pickle
Durbin	Lantos	Porter
Dwyer	Latta	Price
Dymally	Leach	Pursell
Dyson	Leath	Quillen
Early	Lehman (CA)	Rahall
Eckart	Lehman (FL)	Rangel
Edgar	Leland	Ratchford
Edwards (AL)	Lent	Ray
Edwards (CA)	Levin	Regula
Edwards (OK)	Levine	Reid
Emerson	Levitas	Richardson
English	Lewis (FL)	Ridge
Erdreich	Lipinski	Rinaldo
Erlenborn	Livingston	Ritter
Evans (IA)	Lloyd	Roberts
Evans (IL)	Loeffler	Robinson
Fascell	Long (LA)	Roe
Fazio	Long (MD)	Roemer
Feighan	Lott	Rogers
Ferraro	Lowery (CA)	Rose
Fiedler	Lowry (WA)	Roth
Fields	Lujan	Roukema
Fish	Luken	Rowland
Flippo	Lundine	Roybal
Florio	Lungren	Rudd
Foglietta	Mack	Russo
Foley	MacKay	Sabo
Ford (MI)	Madigan	Savage
Frank	Markey	Sawyer
Frenzel	Martin (IL)	Schaefer
Fuqua	Martin (NY)	Scheuer
Garcia	Martinez	Schneider
Gaydos	Matsui	Schroeder
Gekas	Mavroules	Schulze
Gephardt	Mazzoli	Schumer
Gibbons	McCain	Seiberling
Gillman	McCandless	Sensenbrenner
Gingrich	McCloskey	Sharp
Glickman	McCollum	Shaw
Gonzalez	McCurdy	Shelby
Goodling	McDade	Shumway

Shuster	Sundquist	Weiss
Sikorski	Swift	Wheat
Siljander	Synar	Whitehurst
Sisisky	Tallon	Whitley
Skeen	Tauke	Whittaker
Skelton	Tauzin	Whitten
Slattery	Taylor	Williams (MT)
Smith (FL)	Thomas (CA)	Williams (OH)
Smith (IA)	Thomas (GA)	Wilson
Smith (NE)	Torricelli	Winn
Smith (NJ)	Towns	Wirth
Snowe	Traxler	Wise
Snyder	Udall	Wolf
Solarz	Valentine	Wolpe
Solomon	Vander Jagt	Wortley
Spence	Vandergriff	Wright
St Germain	Vento	Wyden
Staggers	Volkmer	Wyllie
Stangeland	Vucanovich	Yates
Stark	Walgren	Yatron
Stenholm	Walker	Young (AK)
Stokes	Watkins	Young (FL)
Stratton	Weaver	Zschau
Studds	Weber	

NAYS—0

NOT VOTING—38

Andrews (NC)	Gejdenson	Pritchard
AuCoin	Hansen (ID)	Rodino
Biaggi	Hansen (UT)	Rostenkowski
Boner	Harrison	Shannon
Bosco	Hawkins	Simon
Clay	Heftel	Smith, Denny
Crockett	Jones (TN)	Smith, Robert
D'Amours	Kogovsek	Spratt
Dowdy	Kramer	Stump
Ford (TN)	Lewis (CA)	Torres
Fowler	Marlenee	Waxman
Franklin	Marriott	Young (MO)
Frost	Martin (NC)	

□ 1750

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 11, EXTENDING AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN EDUCATION PROGRAMS

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 98-897) on the resolution (H. Res. 550) providing for the consideration of the bill (H.R. 11) to extend through fiscal year 1989 the authorization of appropriations for certain education programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST CONSIDERATION OF H.R. 5973, INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1985

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 98-898) on the resolution (H. Res. 551) waiving certain points of order against consideration of the bill (H.R. 5973) making appropriations for the Department of Inte-

rior and related agencies for the fiscal year ending September 30, 1985, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3953, PANAMA CANAL AMENDMENTS ACT OF 1984

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 98-899) on the resolution (H. Res. 552) providing for the consideration of the bill (H.R. 3953) to amend the Panama Canal Act of 1979 in order that outside-the-locks claims for vessels damaged may be resolved in the same manner as those damaged inside the locks, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5220, DEFENSE SHIPYARD PROTECTION ACT OF 1984

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 98-902) on the resolution (H. Res. 553) providing for the consideration of the bill (H.R. 5220) to protect the national defense shipyards of the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REQUEST TO MAKE IN ORDER ON TOMORROW OR ANY DAY THEREAFTER CONSIDERATION OF SENATE AMENDMENT TO H.R. 1310, EMERGENCY MATHEMATICS AND SCIENCE AND EDUCATION ACT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that on tomorrow or any day thereafter it shall be in order to consider at any time, any rule of the House to the contrary notwithstanding, the following:

First, a motion to suspend the rules, to discharge the Committees on Education and Labor and the Judiciary from further consideration of the Senate amendment to H.R. 1310, and to concur in title VIII of the Senate amendment, entitled "The Equal Access Act," to said bill, and such motion shall be debatable for not to exceed 1 hour, equally divided and controlled by the proponent of the motion and a Member opposed thereto and shall not be subject to a demand for a second; and

Second, if such motion has been adopted, a motion to suspend the rules and to concur in titles I through VII of the Senate amendment to H.R. 1310, such motion shall not be subject

to a demand for a second, and if both such motions to suspend the rules are adopted, the House shall be considered to have agreed to the entire Senate amendment to H.R. 1310.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. PEPPER. Mr. Speaker, reserving the right to object, may I just ask a question of the distinguished gentleman.

It will require a two-thirds vote to pass any of the measures listed by the gentleman?

Mr. PERKINS. That is correct.

Mr. PEPPER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. ACKERMAN. Reserving the right to object, Mr. Speaker, is this the same equal access bill that would allow cults to meet in our public schools?

Mr. PERKINS. This is not the same equal access bill.

Let me say this is the amendment that came over from the Senate that we are proposing to take and no cults anywhere along the line are allowed in this school bill.

Mr. ACKERMAN. Would this be permissive of religious services taking place in the schools?

Mr. PERKINS. That is a hard question to define, religious services taking place. The purpose of it is to give religious students that belong to that high school and no other high school the right to participate in religious services and no outsider is allowed.

Mr. ACKERMAN. Could the chairman describe what a ceremony is?

Mr. PERKINS. If no one but the students are in charge of the service, no official of the school or anyone else except the schools can supervise. If something goes wrong, they will close the meetings out. If an outsider is brought in, he cannot be brought in on a regular basis. The bill makes that perfectly clear.

Mr. ACKERMAN. Inasmuch as this would permit school supervision of religious ceremonies taking place—

Mr. GOODLING. Mr. Speaker, will the gentleman yield?

Mr. ACKERMAN. I yield.

Mr. GOODLING. The term "religious ceremony" is not a part of this Senate amendment in any way, shape or form. It does not allow religious ceremonies at all.

Mr. ACKERMAN. Does the bill preclude religious services or religious prayers from taking place in the schools?

Mr. GOODLING. It precludes it.

Mr. ACKERMAN. Could the gentleman point out where it might preclude that?

Mr. GOODLING. It basically allows for an activity period before school or

after school, as any other activity would be meeting, where a study group would be studying, whatever that may be, whether it is a democratic way of life or whether it is Republican politics or whatever it may be. It does not permit religious ceremonies.

Mr. ACKERMAN. Would the sponsor of the bill be willing to state in a colloquy during the consideration of the bill that this would not permit prayer in school and that this would not permit religious services to take place in public school buildings?

Mr. BONKER. Mr. Speaker, if the gentleman will yield, as the sponsor of the original bill, which this amendment is not, and I might add that I had to ponder long and hard about whether I would support the Senate passed amendment, because I believe that it greatly waters down the original intent of the equal access bill, that it does not allow or prohibit school districts from disallowing the kind of religious activity to which the gentleman refers, but it does provide that a school district can set aside this limited forum for before classes and after classes where students cannot be discriminated against if they so wish to gather for purposes of reading Bible verses or praying; so that kind of activity would be protected under the provisions of this amendment, but it in no way compares to the kind of religious services or the religious activity that I think the gentleman is concerned about.

Mr. ACKERMAN. Let me be specific. If a student organization wanted to conduct a Catholic mass in a public school building, would this prohibit that?

Mr. GOODLING. Mr. Speaker, would the gentleman yield?

Mr. ACKERMAN. I would like to hear the sponsor's answer first.

Mr. BONKER. Well, in my judgment, it would prohibit that kind of activity, whether it be mass or any kind of religious service. The intent of the sponsor of the bill is that if several students want to get together for the purpose of reading the Bible or reading the Koran or any other kind of religious document, they cannot be disallowed from doing so either before the school hours begin or after the school hours.

Mr. ACKERMAN. The gentleman is saying they cannot be disallowed from having it? That means that under this bill that would be permitted?

Mr. BONKER. What I am saying is that I do not think anything in this bill disallows school district authorities from prohibiting that kind of activity.

Mr. GOODLING. Mr. Speaker, would the gentleman yield?

Mr. ACKERMAN. Certainly.

Mr. GOODLING. I would like to quote from the Senate side: "Non-

school persons may not direct, conduct, control or regularly attend activities of student groups."

So of course there is no way you could conduct a mass or direct any religious ceremony, because there would be no priest, no rabbi, no protestant minister, nobody of that nature that could participate in any way, shape or form.

□ 1800

Mr. ACKERMAN. That is presumptuous, I would think.

Mr. GOODLING. How can they have a mass if they are not directed?

Mr. ACKERMAN. I have reserved the right to object. There is certainly the possibility that within student groups, even if it might be completely student run groups, that you might have various leaders of different persuasions. Not every religious group has a requirement that one be a high school graduate in order to conduct services or to have any particular degree.

Mr. BONKER. Will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman.

Mr. BONKER. I would add that the Senate-passed amendment does provide that the meeting cannot materially and substantially interfere with the orderly conduct of educational activities within the school. And I would presume that if you are going to get involved in church-type activity that that may well be disruptive of regular school activity.

Mrs. BURTON of California. Would the gentleman from New York give me a moment?

Mr. ACKERMAN. I will be delighted to yield to my colleague from California.

Mrs. BURTON of California. I thank the gentleman.

I would like to ask the gentleman from Washington [Mr. BONKER] or my chairman of the Committee on Education and Labor, or whoever knows the answer: What is the law today? What can we do in the schools today, prior to this bill being worked on, what can we do?

Mr. BONKER. Will the gentleman from New York yield so that I can respond to the gentlewoman from California?

Mr. ACKERMAN. I will be delighted to yield for that purpose.

Mr. BONKER. I would point out that currently there are no definitive guidelines, at least Federal guidelines, for school districts in this area. The 1962 Supreme Court decision addressed specifically the issue of school prayer. That is where in a classroom school authorities would conduct or instruct in terms of prayer or religious activity. That is what is explicitly disallowed by the Constitution.

The Supreme Court did not address this particular problem; that is, of students coming together for purposes on their own time of having prayer or any kind of Bible reading or whatever. That is one of the reasons why we have the proposal before the Congress, is because school districts have varying policies.

The fact is that most school districts in this country today have a policy of tolerance; that is, they allow this activity. That is in a majority of the school districts today. They allow the kind of activity about which the gentleman is concerned.

What we are trying to do is to build in some consistency not only for the school districts but for the various lower courts who have decided in various ways on this particular issue.

But I think that what we have here is not only a means of establishing definitive guidelines and consistency, but we also have in the draft a number of prohibitions against school instructed or school directed religious activities. So I think in that sense this is a very progressive measure.

Mr. GOODLING. Will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman.

Mr. GOODLING. I would like to echo what the Congressman has just said. The purpose for bringing the legislation before the Congress was specifically the fact that no one seemed to know exactly what they were allowed to do or were not allowed to do.

For instance, in most high school districts there is a Hi-Y club during club activities. I do not know of anyone in the United States that has objected to a Hi-Y club.

In many schools there is Bible club during the activity period.

The Supreme Court ruled that you cannot discriminate on the postsecondary level. They have not had the case before them. Some of the lower courts have ruled on both sides of the issue, which becomes very conflicting. There are conflicting decisions.

We had the Williamsport decision which says, yes. We had the Lubbock which said, no. We had Little Axe and that decision said, yes. We had the Brandon decision that said, no.

So we are trying to clarify that particular issue at this time.

Mr. ACKERMAN. Could I ask you to possibly explain to me why this bill does not specifically prohibit the use of school buildings for religious services and school prayer, if you are interested in setting those guidelines.

Mr. BONKER. Will the gentleman yield for a moment?

Mr. ACKERMAN. I yield.

Mr. BONKER. Many school districts today have a policy of renting out their facilities to various churches that otherwise do not have facilities and that is done on a rental basis and

has nothing to do with the curriculum. But if you were to build that provision into this statute it would, indeed, be interfering with local school authorities in trying to make available the space on a Sunday, for instance, that has nothing whatsoever to do with its educational program, but happens to be a nice revenue factor for the school districts.

Mr. PERKINS. Will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Kentucky.

Mr. PERKINS. Let me say one thing to our distinguished colleague from New York. There has been confusion throughout the country, even confusion in adjacent counties in eastern Kentucky about this problem, and it has been brought about because of the Supreme Court decision where college students in the Missouri case has this right of equal access, and this is just trying to give some guidelines to the school people throughout the Nation, not bringing, not trying to bring any specific religion, but where school buildings are used for other activities.

I used a school building in the last week on eight occasions for flood control political meetings. We have school buildings in some of our large counties where you do not have a courthouse within 70 or 80 miles, and it is for the convenience of these youngsters that go to that particular school. And insofar as defining services, that is very hard to do, I would think. Each of us may have a different thought about it.

But we provide, and the gentleman raised the objection in the committee originally, that to reduce the number to two, and they can get in there and conduct a service, and that is what the Senate bill does here. And I think you and I both know when we try to define a service it is almost impossible.

But this thing has a moral value to these youngsters, these high school students, to get together, discuss their religion, and that is I think something that is very worthy.

Mr. ACKERMAN. I think that there is a clear difference between using a public school building for educational purposes and telling people what to do in cases of flood control and other things that are in the public interest. But religion is something that is in one's private interests, and to make a public school building available, and everything that I have heard here today tells me that the intent is to be permissive of having prayer in our schools and tolerating religious services in our schools. I do not think that that is the purpose of public education or public school buildings.

Mr. PERKINS. If we were interfering with public education the gentleman would have a point. But we are not interfering in any way with public education.

These schools are making their rooms accessible to garden clubs, horseback riding clubs, all kinds of civic organizations, political meetings. In my district the school buildings, that is where I held my political meetings. We do not have any problems working it out with the school superintendent in these rural counties where we hold our political meetings in the school buildings. And I do not see a thing in the world wrong here with these high school youngsters being afforded equal access for a good moral purpose, regardless of what our religion happens to be.

Mr. ACKERMAN. Nobody has objections to youngsters doing things for good moral purposes. But there is still a finite, albeit very important difference between studying and teaching about religion and the actual practicing of religion.

Mr. GOODLING. Will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. I would just like to assure the gentleman from New York that there is nothing in this bill that does anything differently than public schools have been doing for 100 years. All we are saying is that since the Supreme Court has not acted at this point, since there is controversy in the lower courts, there should be some guidelines for the school district so they know where they stand.

Most of them are continuing to operate today just as this legislation says they are allowed to operate. So we are not asking for anything new. We are not asking for anything more. In fact, we are probably limiting what they have been doing at this particular point for the last 100 years.

Mr. ACKERMAN. I am sure the gentleman would agree there are things we have been doing for 100 years and even 1,000 years that are not just and that are not right and that we would like to see changed. But that really is not the issue.

My question is, Is there anything in this bill that prohibits the use of public school buildings for prayer or for religious services?

Mr. GOODLING. This is strictly a religion tolerance bill, period.

But let me say also I think it passed the other body something like 88 to 11.

Mr. ACKERMAN. That does not mean it is right.

Mr. GOODLING. It has Mr. KENNEDY, for instance, and others, Mr. KENNEDY and Mr. TSONGAS and some of them.

Mr. ACKERMAN. I have heard of them.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. SEIBERLING. Will the gentleman yield to me?

Mr. ACKERMAN. I will be delighted to yield.

□ 1810

Mr. SEIBERLING. I have asked the gentleman to yield because this very issue came up in the school district of the city of Akron, OH, several years ago and the school board, with its counsel, worked out a set of guidelines for allowing students to conduct meetings and have religious discussions on school property, but not part of the regular curriculum, not in school instruction classrooms, but in other parts of the school buildings that were set aside for noninstructional purposes.

The Akron guidelines are very similar to the Senate bill. The two principal differences are that the Akron guidelines do not permit any faculty to be present at such meetings and they also prohibit any outside people from coming to the meetings.

And they also say you cannot have such meetings in the classrooms, themselves.

In looking at the proposed legislation which the Senate bill represents, it seems to me that the Akron guidelines could be continued identically, even under the Senate bill, the only exception being that if other groups are permitted to advertise meetings on school bulletin boards, for example, then religious groups would have to be given the same right, which the Akron guidelines do not allow them to do.

Unless someone can come up with a very clear indication that the bill, as it is proposed, violates the Constitution in some explicit way, I think that this is something that is compatible with practices that have been developed in an actual case by a school board that is very concerned about following constitutional requirements and that it does not interfere with what I conceive to be the proper separation of religion and the State.

And I might add, I voted against the original Perkins-Bonker bill.

Mr. ACKERMAN. There is nothing wrong with individual school districts coming up with their own interpretations without having the will of the Congress forced down their throats. That is exactly in my opinion what we would be doing here.

There is also again the tremendous difference between the study and the practice of a particular subject. This bill would be, and nobody has stated otherwise, absolutely permissive of the Ku Klux Klan claiming they are a religion and meeting on the school grounds and doing a lot of things that some people think objectionable despite the fact that they have been done for 100 years.

Mr. SEIBERLING. If the gentleman will yield, it is my understanding that the bill would sanction the right of any school administration to prohibit

activities on their property that they consider are not conducive to good order and to proper exercise of constitutional rights.

So if the Ku Klux Klan wanted to meet in a school building, it seems to me this does not give them any right that the school board could not override.

Mr. GOODLING. Mr. Speaker, would the gentleman yield on that point?

Mr. ACKERMAN. I yield to the gentleman.

Mr. GOODLING. I thank the gentleman for yielding.

As a matter of fact, the legislation specifically says nothing in this act should be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on school premises, to protect the well-being of students and faculty and to assure the attendance at such meetings voluntary.

Mr. ACKERMAN. I am not suggesting as necessary that the religious groups, the real damage they do is in physical violence, but it is in the kind of violence that they do to human dignity in some of the things they believe in.

Mr. GOODLING. You mentioned Klan and I think violence.

Mr. ACKERMAN. Yes, I did, because I wanted to mention an extreme case, but there are other cases which are more extreme.

Mr. GOODLING. This bill is protected against the Klan and such other groups.

The SPEAKER. Is there an objection?

Mr. ACKERMAN. Yes; there is. Mr. Speaker, I object.

The SPEAKER. The Chair hears an objection.

MAKING IN ORDER ON WEDNESDAY, JULY 25, 1984, OR ANY DAY THEREAFTER, CONSIDERATION OF SENATE AMENDMENT TO H.R. 1310

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 554) making in order on Wednesday, July 25, 1984, or any day thereafter, consideration of the Senate amendment to H.R. 1310.

The Clerk read as follows:

H. RES. 554

Resolved, That it shall be in order on Wednesday, July 25, 1984, or any day thereafter to consider at any time, any rule of the House to the contrary notwithstanding, the following: (1) a motion to suspend the rules, to discharge the Committee on Education and Labor and the Judiciary from further consideration of the Senate amendment to H.R. 1310, and to concur in title VIII of the Senate amendment, entitled "The Equal Access Act", to said bill, and such motion shall be debatable for not to exceed one hour, to be equally divided and

controlled by the proponent of the motion and a Member opposed thereto; and (2) if such motion has been adopted, a motion to suspend the rules and to concur in titles I through VII of the Senate amendment to H.R. 1310. Neither such motion shall be subject to a demand for a second. If both such motions to suspend the rules are adopted, the House shall be considered to have agreed to the entire Senate amendment to H.R. 1310.

The SPEAKER. Is a second demanded?

Mr. GOODLING. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second is ordered.

Under the rules, the gentleman from Kentucky [Mr. PERKINS] will be recognized for 20 minutes and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

For what purpose does the gentleman from Washington [Mr. FOLEY] rise?

Mr. FOLEY. For a unanimous-consent request, Mr. Speaker.

The SPEAKER. The gentleman will state his unanimous-consent request.

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the vote on the motion now pending be postponed until the first order of business tomorrow, July 25.

The SPEAKER. Does the gentleman ask unanimous consent that the debate also be postponed?

Mr. FOLEY. Just the vote, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. WALKER. Reserving the right to object, Mr. Speaker, I do so just to inquire of the gentleman from Washington whether or not—

Mr. FOLEY. Mr. Speaker, perhaps the gentleman will yield to me and I can clarify it.

Mr. WALKER. Mr. Speaker, I am glad to yield to the gentleman from Washington.

Mr. FOLEY. I would like to revise my unanimous-consent request.

Mr. Speaker, I ask unanimous consent that the debate and the vote on the motion now pending be postponed until the first order of business tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. WALKER. Reserving the right to object, Mr. Speaker, would it be my understanding that this would occur prior to the call of Calendar Wednesday, thereby still preserving the Calendar Wednesday option tomorrow?

Mr. FOLEY. The gentleman is correct.

Mr. WALKER. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER. The matter is postponed to the first order of business of the day tomorrow.

ARKANSAS PAYS TRIBUTE TO GERALDINE FERRARO

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks, and include extraneous matter.)

Mr. ALEXANDER. Mr. Speaker, I just returned from my home State of Arkansas last night where I encountered overwhelming support for the nomination of GERALDINE FERRARO for the position of Vice President on the Democratic ticket. I believe that in my State the pride of our people has been rekindled because it was Arkansas that elected the first woman to the U.S. Senate in 1932, and she was twice re-elected. Feature publications such as the following from the Arkansas Democrat about the life of Hattie Caraway, the first woman U.S. Senator, are appearing throughout Arkansas.

We in our State learned a long time ago that women are "half the sky" and they can contribute in medicine, in law, in politics, and in business. We welcome you, GERRY, to Arkansas. I will be standing there to greet you and to introduce you to our wonderful people so that they can know you as we know you here in the House. And you will see in November that they love you.

[From the Arkansas Magazine, July 22, 1984]

HATTIE CARAWAY

A WOMAN'S PLACE IS IN THE HOUSE (AND SENATE)

(By Patrick Kelly)

Above all others, there was one compelling reason for Hattie Wyatt Caraway to run for the Senate:

She needed the money.

Her husband, Sen. Thaddeus Caraway, had died in 1931, leaving her with three sons, a mansion near Washington, and little else. When Gov. Harvey Parnell asked her to serve the year remaining in Thaddeus' term, it was, at least in Parnell's mind, guaranteed that she would not run for election to a full term.

But after a year to mull it over, Miss Hattie changed her mind. Thad had left her virtually bankrupt and she had no marketable skills, so she ran for the Senate and was twice elected—thrice, if you count a special election for the remaining year in Thad's term.

Hattie Caraway was a frumpy woman, about whom it was written that she should be expected to start shelling peas in mid-conversation. A good, Christian woman—Methodist, to be precise—whose white fudge with walnuts was said to be wonderful.

Yet, unknowingly, she was predecessor of vice presidential candidate Geraldine Ferraro and other modern women in only the mildest way: She was there in the '30s and

'40s, and was acceptable to the men of the time with her housewifely, homespun ways. She may not have paved the way for today's feminists in her thinking, but just by being there, and being the first, she created a mold, albeit changed now, that allowed women into Congress.

Born in rural western Tennessee in 1878, Hattie Ophelia Wyatt met Thad Caraway after her graduation from Dickson (Tenn.) Normal College and settled with him near Jonesboro in 1902. He became a thriving young attorney and she became a housewife. Her only legacy from the early days in Jonesboro was the cry of "Mrs. Caraway" on the street. It alerted women to crooked stockings and sagging slips.

In 1912, Thad was elected to the U.S. House of Representatives and in 1920, he became Arkansas' junior senator. He was junior to Joe T. Robinson, the one-time vice presidential candidate who remains one of the state's favorite sons. Upon Caraway's death and Mrs. Caraway's rise to the Senate, there was jest among Arkansans that Mrs. Caraway would become Robinson's other vote in the Senate, but that was not to be.

Caraway died on November 6, 1931. Gov. Parnell quickly organized the Democratic State Committee, and Mrs. Caraway was appointed (actually, elected, in a rubber-stamp sort of way) for the term's remainder. She had some opposition from Frank Pace, who said that a woman had no business serving in the Senate. It was a philosophy Thad Caraway would have held, but that did not stop his widow.

Daisy Rhea Abbott, now 92 and living in Magnolia, was a member of the Democratic State Committee in 1931. She recalled that "the day after Mr. Caraway died, Mr. Parnell called me and said, 'Mrs. Rhea, we want to get this place for Mrs. Caraway. Mr. Caraway was a good senator, but he was not a good businessman. He was in debt.'

"Put my vote down for Mrs. Caraway," she said, and eventually became the deciding vote when a man approached her in the lobby of the Marion Hotel in Little Rock just prior to the committee's meeting.

"When I got to the Marion Hotel and went into the lobby, it was full of people," she recalled. "A man called me to one side and says, 'You're Mrs. Rhea?' I said yes. He said, 'Are you committed? Have you pledged your vote to Mrs. Caraway?' I said yes. He said, 'Any chance of you changing? You're the last one. It hinges on your vote. If Mr. Pace had one more (vote), it'd be his. He would have it.'"

"I said no. I told Mr. Parnell in the beginning that I was for Mrs. Caraway, and I wasn't going to change my vote."

Later, Charles H. Brough, who had been governor of Arkansas from 1917 to 1921, told her she should have said, "What's your price?"

Pace was a lawyer originally from Harrison who had served for a time as that district's prosecutor and as a minor federal bureaucrat tending the railroads. His only mistake in wanting Thad Caraway's seat was in not asking the governor first.

Going into the Senate, Mrs. Caraway had one blessing: Garrett Whiteside, her late husband's secretary, the predecessor to both an administrative and legislative assistant.

"A lot of people said that Garrett Whiteside was really the Senator," said Mrs. Abbott, "that she just did what Garrett Whiteside told her."

"There's no doubt that she consulted with him and depended upon him quite a lot,"

said U.S. District Judge Oren Harris, who served in the House of Representatives while Mrs. Caraway was in the Senate. "But she was a woman of a great deal of independence, and she was stubborn, too."

"Mrs. Caraway Darns Socks When Day In Senate Is Done" read one headline from her early career. To which she added, "last night I hemmed two napkins." It was taken quite seriously, this mother-and-homemaker line, seriously enough that Mrs. Caraway felt the need to publicly thank Fannie, "our colored maid, (who) takes such good care of us that I take little thought of the machinery of running the house."

Her press clippings show that she was very much the lady, albeit an odd one. Most of it is fairly gray, but there are pieces like the one in which she gave a question-and-answer interview on the subject of parachutes in passenger planes.

She introduced a bill to require mandatory parachutes on all commercial aircraft almost every year she was in the Senate.

"Mark my words," she said. "You'll see the day when parachutes will be standard equipment on passenger planes."

The Civil Aeronautics Board and the Department of Commerce came out against the bill with three points: The usefulness of parachutes to untrained people was "somewhat questionable," passenger planes were not well-adapted to the use of parachutes; and the speed and unexpectedness with which accidents occur would make escape impossible.

To which Mrs. Caraway replied, "They've got a door, haven't they?"

She did acknowledge that there was some truth to the CAB's and Department of Commerce's findings, but said, "there have been some crashes where parachutes would have saved lives—particularly when the plane was unable to land because of fog or other conditions and ran out of gas—and there will be other cases of this kind."

The CAB and Department of Commerce won that one, but only after Mrs. Caraway introduced it 12 out of 13 years she served in the Senate. At the very least, it became the longest/lasting bill of her career and, with a few exceptions, the most important one to her.

Mrs. Caraway was not much on introducing legislation. Probably her most noteworthy legislative involvement was in a bill that successfully kept Arkansas from losing congressional representation in 1941. But throughout her career, she made few speeches, averaging about one a year, and introduced just as few pieces of legislation.

Her first year in the Senate was chronicled in a diary, which has been published under the title "Silent Hattie Speaks" (Diane D. Kincaid, editor; Greenwood Press). Although not published until 1979, it's probable that Mrs. Caraway wrote it for publication in a woman's journal, sort of a woman's eye view of the United States Senate.

A major concern in the diary was what people, especially men in the Senate, were wearing. Much of the diary was written on the Senate floor; apparently appearances were foremost in Mrs. Caraway's mind.

"Sen. Lewis is dressed in a tan shirt with green stripes," she began one entry, "green tie, low-cut vest of cream—looks like linen—Beige Spats. His shirt sleeves are very long, cuff buttons of enamel, black ground with red flowers."

She was also concerned with the price of china, following sales all around Washington for a dish or a saucer. Several years

later, in a letter to her son Forrest, she asked if he and his wife had received their wedding gift, a set of Lenox china, then told him it cost her \$300. "I only got it in 8 of everything and that came to over \$300, so you can see why I'm anxious about it," she wrote, asking for confirmation of its receipt.

She was a very price conscious woman, her diary shows. "Went to office at a sandwich and cup of coffee (15 cts.)," she recorded. Apparently, the "et" is written in jest.

When she was bored, when the tedium of the Senate floor got to be too much for her, she would write poetry. Some of it is rather clever. This one is not:

"To run and run and never fret
Is worth it tho you may not get
The breaks you wanted, nor the place
You still may live by God's good grace.
And when your life and work are done
Find tho' you lost—you also won."

She added, "From the 'Jingles of a Jennet,' Written in the Senate."

Sometime during that first year she changed her mind about running for election. In her diary, she said she was doing it for her sons—and to test the waters for women on the national political scene. If this sounded political, whatever fires were burning underneath her were quickly extinguished. There are few references to a movement for women in any of her later letters or speeches.

Virtually everyone back home had expected her to become Joe Robinson's other vote in the Senate. That didn't happen. But neither did she become an extra vote to Sen. Huey Long of Louisiana, who at least once specifically asked for her vote and didn't get it. Nevertheless, she voted along Long's lines more often than along Robinson's.

Long's influence probably did not cause her to run for election, but nevertheless, he became the most influential man, aside from Garrett Whiteside, in her early career. She had become quite enamored with him, if sometimes in a horrified kind of way, as they were assigned seats next to each other in the Senate chamber. He was the bright spot in her day; Mrs. Caraway, in anticipation of his arrival in the Senate, said in her diary that he would "bring color and quite a display of fireworks, I imagine."

Her relationship with Long extended back to her late husband and the friendship they developed as two like-thinkers. Wondering who will escort him to take the Senate's oath of office, Mrs. Caraway wrote that "he had asked Dad (Thad) to do that."

Whatever the reason, he came to Arkansas and helped her win the election, with the understanding that he not publicly trounce Joe T. Robinson from the speaker's dais. He kept his promise. What he had in mind was more a show of strength; he wanted to flex his muscles in a neighboring state to show that his popularity extended past Louisiana, perhaps looking ahead even to the nation in 1936, when President Franklin D. Roosevelt would be up for re-election.

That, of course, was not mentioned. To his followers in Arkansas, Long was there because, he said, "Wall Street interests had their feet on the throat of a defenseless little woman who had the nerve and courage to sit in the Senate and vote against the vested money interests of this nation while the sheriff sold her home because she couldn't pay the mortgage."

The reference was to Calvert Mansion outside Washington, which Thad had bought before his death. It was the most obvious show of Mrs. Caraway's dire financial

straits after his death when it was sold at a public auction to pay the mortgage.

Long's "medicine show," as it was called, was a combination revival and political rally—and it worked. It drew an estimated 20,000 people (35,000 by Long's count) at the rally in Little Rock, a smashing windup of what they had done out in the state in 30 other rallies.

Mrs. Caraway was nominated by a landslide. Her six opponents included Charles Brough, the former governor; O. L. Bodenhamer, an El Dorado oil man who had been national commander of the American Legion; William Hutton, the sheriff of Pulaski County and secretary of the state Democratic committee; William Kirby, a former U.S. Senator and, at the time, associate justice of the Arkansas Supreme Court; Vincent Miles, a member of the Democratic National Committee; and Melbourne Martin, a lawyer.

"That Senator Long was invaluable in his efforts on my behalf is well-known," she said following the election. "To him I would deny no need of praise or thanks."

Many considered that an understatement, but Silent Hattie was back in the saddle.

Huey Long fell to an assassin's bullet in 1935. Mrs. Caraway was probably oblivious to what Long really had meant to her in 1932, at least to the degree that she felt she could win an election on her own. This theory wasn't to be tested until 1944, for Homer Adkins stepped in to play election genie for Mrs. Caraway in 1938.

Adkins was then collector of Internal Revenue, which, at that time, meant he was in charge of the Federal Government's operations in Arkansas. He went on to become governor, a later move on the power scale at that time.

Her opponent, John McClellan, then a representative, lambasted Mrs. Caraway for being a do-nothing Senator, acting as the president's rubber-stamp. That held some truth, but it probably helped her as much as hurt her. Roosevelt made a stop in Booneville during the campaign, calling Mrs. Caraway "a friend." That was all that was said, but writers of the day took it to be an endorsement of her senatorial campaign.

McClellan took on the fight with a vengeance, sharpening his teeth for later battles. His campaign slogan was "Arkansas needs another man in the Senate," and his campaign schedule was even more grueling than her's had been in those last eight days of the 1932 campaign. In the end, he was hospitalized for exhaustion.

Also in the end, Mrs. Caraway emerged as the victor in name only. Even though she won by some 8,000 votes, it really was Adkins' election, with his control of Arkansas' arm of the federal government.

In a letter to McClellan after his defeat, a supporter wrote, "They knew the only way they could beat you was to steal it, and they had their bunch well-trained, and they did a good (job) of it."

That's not to say, however, that Adkins controlled Mrs. Caraway's vote in the Senate. He may have wanted to, but Mrs. Caraway was just naive enough not to let such a thing enter her mind. The fact that she was a true Roosevelt supporter, whereas McClellan had expressed reservations over some of the president's programs, was apparently enough for Adkins.

On Labor Day, Sept. 5 of 1938, Mrs. Caraway took the time to drop her son, Forrest, a note. Her letters had, in fact, taken the place of her diary, which she didn't bother with after about a year. Before the letters,

though, came a period in which she read the newspaper in the Senate chamber—a brouhaha in the press over whether or not she was reading the comics put an end to that, and a start to her letter writing.

Just after the primaries Mrs. Caraway wrote that "the repercussions from the campaign have gradually died away and all is quiet on the Western front. McClellan is in the hospital for a complete rest. I hear that a cousin of his second wife *** says McClellan told her that the inside of (his) head burned like fire and that he is afraid it will never be right again I'm usually sympathetic, but you know I'm not worrying about him for a second. That man is poison. There is not a trick he didn't try ***"

Later in the letter, she mentions an acquaintance who was having a problem with boils. "I wish we could wish them on *** Mrs. McClellan," she wrote.

In her second term, she had developed a finesse of sorts as a legislator, the finesse of a woman who knew her place. She rarely spoke on the Senate floor, hence her nickname, Silent Hattie. But the nickname evoked more than just passing thoughts of Hattie being quiet; as she said, "I leave the speeches for the 95 men in the Senate, most of whom like to talk." She added that "their talk does not change votes."

She was well-studied on topics of legislation, especially as they applied to Arkansians. Her office was known for being efficient at taking care of the needs of home folks. Largely, the credit for this goes to Garrett Whiteside, but Mrs. Caraway had a hand in it, too.

She was a club woman who would have been best off if left as president of the Twentieth Century Club, a ladies' literary society in Jonesboro. But she was in the Senate, and she did the best she could, in her day, of being an effective member who did not rock the boat.

In the election of 1944, Mrs. Caraway was all but left out. Huey Long was dead, Homer Adkins was running against her, and no one had stepped in to replace the spark they had fired. She was only a nominal candidate in what amounted to a race between U.S. Rep. J. William Fulbright and Adkins. She finished fourth in a field of four candidates.

Her closest friends and advisers urged her not to run, but she was undaunted. She tried to run the campaign with the help of Garrett Whiteside. Describing the campaign as pitiful, one Caraway supporter remembered Whiteside working alone at the campaign headquarters, trying to drum up support.

In a political obituary after the election that had found Fulbright the winner, Time magazine remembered her as being the senator outside whose "door in the mahogany-and-marble Senate Office Building stood a little row of milk bottles." It went on to say that, by the time of the election of 1938, "most housewives in Arkansas had received letters, often enclosing Government canning bulletins, from 'Miss Hattie,'"

Time ended the article by saying, "The political career of Hattie Caraway *** was over."

After her defeat, she was appointed by Roosevelt to serve on the Federal Employees' Compensation Appeals Board. She resigned shortly before her death from a stroke on Dec. 21, 1950.

She never forgot what happened in 1944. "She was bitter toward many of her best, sincerest friends," recalled one family friend. "She felt they hadn't done enough."

DEBT CRISIS IN THE THIRD WORLD

(Mr. DE LA GARZA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LA GARZA. Mr. Speaker, we read very often these days that international bankers are worried about the debt crisis in the Third World.

We've been reading about it in the Wall Street Journal and the New York Times and the Washington Post. And if they tell us that bankers are concerned, I'm sure it's true.

I have only one complaint about this, Mr. Speaker. I think that we ought to be hearing more about this problem outside the boundaries of Wall Street, Washington, and Chicago. We should also be looking at the problem in towns and cities all across this country where agriculture is a vital part of the economy.

The fact is that if we have a serious debt problem in the Third World—and we do—then the fallout could affect more than just a few big international banks. It could affect farmers and others in agriculture in almost every part of this country.

We know that when the Third World is in a debt crisis, we can look for two developments affecting agriculture—and both of them can spell trouble.

First, we can expect developing countries to look for every conceivable chance to increase raw material exports to help earn exchange needed to pay their debts.

I want to emphasize that I am not criticizing the natural development of agriculture in other countries on a sound economic basis. But none of us would want to see cases where other countries push the production of crops which may offer a short-run payoff at the expense of solid, lasting progress in meeting their own development needs.

The second troublesome prospect lies in what a debt crisis abroad can do to our own prospects for expanding exports.

All through the export boom of the 1970's, we found that the fastest-growing markets for American agriculture were in two groups of countries. One was the newly industrial nations like Korea. The second group included many Third World countries which were farther behind in developing their economies—and that includes many countries in Latin-America and Africa.

Now, some of those countries are having trouble making their debt payments, and this has affected agricultural credits as well as other loans. We all know, for example, that the Agriculture Department has had to take over some export credit loans that it had guaranteed in past years—and it has had to make plans for the possibil-

ity of taking over additional guaranteed loans.

Credit programs are fine. I support them. We have used them effectively in the past to help maintain agricultural exports—and we will use them again in the future, both in commercial credit programs and in the Food-for-Peace Program.

But we have to face the fact that nations which cannot pay existing debts are going to be trying desperately to improve their balance of payments. They are not likely to want to create new debt in order to expand imports beyond levels of absolute necessity—and this could slow down the expansion of American farm exports we are all hoping for. Where credit is used, we could be seeing a greater demand for concessional terms rather than the commercial, free-market trading that is everybody's long-run goal for the bulk of our exports.

Just a few days ago, the Overseas Development Council issued a report noting that recession and debt problems in the Third World have seriously depressed American exports to many countries. The report said the impact has been most serious on our exports of machinery and other manufactured products. But it added that agricultural exports have also been affected.

The Development Council report says economic recovery in the United States would help move toward a broader recovery. But that won't be enough. American recovery by itself won't help Latin America pay its debts—it won't solve the problems of drought in Africa—and it won't deal with the problem of high American interest rates and the high-priced dollar. We're going to need action on a number of fronts, including steps that will bring interest rates down.

So when I read these days about the debt crisis abroad, I think about more than banks. I think about American agriculture.

When I read about the importance of getting interest rates down so foreign borrowers can afford to make payments to our country, I think about more than banks, I think about the American farmer and the way his income is affected by exports.

I suppose the lesson is that in this problem of Third World debt and international interest rate problems, we are all in the boat together. We had better begin working together to bail out the boat. We may need to restructure not only the debt owed by foreign countries or by foreign borrowers of every kind, but also our policies, rules, and regulations dealing with this problem. Such Mr. Speaker, should be done with full knowledge that what we do may well impact in a most negative way upon our country's agriculture economy if not done prop-

erly and with concern for the most productive sector of our economy which is agriculture and that vast sector known as agribusiness.

GERALDINE FERRARO—A HISTORICAL PIONEER

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, it gives me a great deal of pleasure and pride to join my colleagues in welcoming GERALDINE FERRARO back to the House after her historic selection as the Democratic nominee for Vice President.

GERRY's selection as the Vice Presidential nominee is historic for a number of reasons. First, of course, she is the first woman nominated by a major party for this high office. As such, she is a source of pride to the one-half of our Nation's population which has never had entry to our Nation's highest public offices. It is about time that the changes taking place in our society as women move toward real economic and social equality be reflected in our Nation's leadership.

In addition, it gives me a great deal of personal pride that the Democratic Party has selected the first Italian-American nominee for Vice President. Italian-Americans, who have made such a rich contribution to our Nation's cultural and political history, have now taken another step forward in a country which they have embraced with great patriotism and pride.

Of course, Mr. Speaker, there is also another reason for pride for all of us here in the House. It is unusual for a Member of this body to be selected for the national ticket of either major party. We should all be pleased with the recognition of the skills and experience of Members of this body, which often go unnoticed because of our large numbers.

Again, it is truly a pleasure to congratulate my friend, GERRY FERRARO, on her historical selection as the Democratic Vice Presidential nominee. I feel certain that she will live up to the confidence that has been shown in her and the responsibility which she now carries.

□ 1802

THE DEMOCRATIC PLATFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes.

Mr. WALKER. Mr. Speaker, I thought this evening I might spend some time reviewing a number of the items that were found in the Demo-

cratic platform adopted at the Democratic Convention last week. During that period of time, of course, we received a rather uncritical viewpoint of that particular platform and I think that it would be well to review it, taking into account some of the items that I think are out of sync and out of touch with the wishes of the vast majority of the American people.

There are a lot of items in that platform, it seems to me, which belie the claim of the Democratic Party that they have become the party of family, the party of the working people, the party of interests reflecting the broad view of the public and are a party that is dedicated to traditional values.

As you look through their platform you find many items which simply do not reflect those kinds of attitudes. For example, one of the issues most on the minds of the American people at the present time, most on the minds of the world as they look at the United States, is the question of the budgeting practices of the Federal Government, it is the question of how we are going to operate our fiscal affairs here in the House of Representatives, within the Government, in such a way as to bring down massive deficits.

The Democratic Party spent a lot of time at their enclave talking about deficits, talking about the fact that the deficits are attributable to Ronald Reagan, a contention that I would not agree with given the fact that all spending bills start right here in the House of Representatives. The appropriations policy of the Federal Government begins here. Deficits are not Presidential problems, they are congressional problems.

But regardless of that, we have to acknowledge the fact that the Democrats spent a lot of time at their convention talking about deficits.

It is interesting to note, however, that the one thing that the American people say that they want to have done in order to correct the deficit problem; namely, a balanced budget amendment to the Constitution, is specifically rejected by the Democratic Party in their platform. That is something which they say they will not have as a part of the policies that they are willing to implement at the Federal level. I think that speaks plainer than anything else. We all know that all of the promises and all the talk about deficit goes for naught if we do not impose some kind of discipline on this body and on the country as a whole. The discipline needs to be imposed on the Congress, it needs to be imposed on Presidents. That discipline comes in the form of a constitutional amendment to balance the budget.

The Democrats, by saying in their platform that they do not believe that a balanced budget amendment to the Constitution is the right course to take, tell us more about the budgeting

practices of that party than nearly any other statement they could make.

Mr. MACK. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I would be glad to yield to the gentleman from Florida who is a member of the Budget Committee.

Mr. MACK. I thank the gentleman for yielding.

I think the wording that is in their platform says something like, "a balanced economic policy." It is interesting the choice of the word "balance" in there to try to, I guess, to give people the impression that what they are working toward is a balanced budget.

But in reality and we see it happen I guess every day here on the floor of the House and today probably is a good example as any. There was an opportunity today to reduce spending, not to eliminate programs, but to just say we ought to hold the line on spending in this country and in fact there were two opportunities. One, there was an amendment offered by Mr. DANNEMEYER, I believe, to hold the level of spending at the same level as last year. Someone else suggested that maybe there ought to be a 15-percent increase. Two different votes. Both of those votes lost.

Mr. WALKER. The gentleman is absolutely correct. Of course, the wording in the Democrats' platform says that what they are going to do is reduce deficits by—they have a whole list of things that they are going to do—but then they say by "cutting other unnecessary expenditures."

Well, what we know from this body is every expenditure is necessary. They do not bring a bill to the floor that is not of great moment, that is absolutely necessary that we spend the money for. So really that is a statement that says that they are not going to cut anything.

Mr. WEBER. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Minnesota.

Mr. WEBER. I thank the gentleman for yielding.

I think the gentleman makes a very important point because day after day we have sat here on the floor of the House, most often under the leadership of the gentleman from Pennsylvania, challenging genuinely unnecessary expenditures. And we have found the majority unwilling to shave even a penny off of them.

I am reminded of the attempt of the gentleman to reduce by a small amount the appropriations for the National Science Foundation. The National Science Foundation is a worthwhile organization. I applaud much of its research. But certainly that is an area where we could afford to scale back a little bit, especially in view of

some of the more ludicrous research projects that we all know have been funded by the NSF. Yet, we find an absolute unwillingness to cut number one penny even from the budget of the National Science Foundation.

Mr. WALKER. Well, the gentleman will remember that I raised the point that one of the things that we had spent money on in last year's budget was a study of free-ranging coyotes. Now, they may well be an expenditure of some merit, I do not know, but at times of \$200 billion deficits it seems to me that there is one place that we might be able to save a little money.

Mr. WEBER. I also recall our colleague from Colorado [Mr. BROWN] offering an amendment which would have simply deleted funding for elevator operators in the House office buildings that run automatic elevators. We thought that we could not cut that because of the Democratic majority.

But if automatic elevators being run by elevator operators are not an unnecessary expenditure, I do now know what is.

The unwillingness of the Democratic majority in the House to even cut that out of the budget pretty much tells me that they are not going to cut the budget.

Mr. WALKER. The gentleman will remember the other day when our colleague from California [Mr. LUNGREN] came to the floor and described to us a building that was going to be built in his district, a \$20 million Federal building, that he said was unneeded. He told us it was unnecessary, that here is something that we do not need, we do not want. "I am offering an amendment to take it out of the budget even though it is in my district. Now, that was an unusual event to begin with. We do not have many Members of Congress who do that."

This Congress voted to spend the \$20 million, even though the Congressman from the district said they did not want it.

When we start talking about the fact we are going to cut deficits by taking out unnecessary spending, this Congress does not have a very good record.

Mr. MACK. If the gentleman would yield, I would like to go back to the point that my colleague raised about eliminating the operators of the automatic elevators. It may be, and I think this is worth exploring, because one of the things that from time to time people will attempt to say about me and other conservatives, I guess, is that we lack compassion.

The real issue here is you are talking about putting people out of work is the line that is usually brought up.

It was interesting though that in this particular amendment that was brought to the floor, the amendment said that we are really not going to put anybody out of a job, it is just

when they should happen to decide to leave that position, or for whatever other reason it might become unoccupied, that we are just not going to hire anybody to fill those positions.

Mr. WALKER. We are going to leave that automatic elevator vacant at that point when that person leaves the job. That is exactly what it said.

Mr. MACK. That is correct.

But there again for some reason those who voted against it could not bring themselves to the idea of even cutting spending to that degree.

I just want to build on one more point raised about the balanced budget amendment and the Democratic platform that basically says a balanced economic policy. There is nothing specific in that platform about how to balance the budget other than to refer to what taxes they would raise. Basically they are talking about the same thing they have talked about for the last 18 months. One is to try to figure out some way to cap the third year of the tax cut. The second way is to see if they cannot push indexing back for several years.

I think that is about time that the American people really had a direct response in that what we will do is we will ask for a balanced budget amendment. We will ask for a line item veto. That is how you are going to control spending.

Mr. WALKER. Let us understand that they did put some things in their budget about how they are going to reduce spending and how they were going to handle this budget.

Here is what they said. They said they were going to reassess defense spending. Now that is in the portion of the platform where they are talking about the budget.

□ 1830

But when you get down to the defense portion of the budget, we find out that they are not going to lower spending; they are in fact going to continue to raise spending, too, though not maybe quite as fast as what the Reagan administration is. So that was one thing.

I just want to go down through a couple of these things so that we understand. They also said they are going to create an adequate and fair tax system.

The gentleman from Florida is absolutely right. What does that mean? Well, Walter Mondale told us flatly what is meant: They are going to raise taxes, and one of the ways in which they were going to raise taxes is, they are going to eliminate indexing, which means they are going to raise taxes on the average American working family.

They also said they were going to control health costs. But when you get down to the health cost portion of their platform, you find out that they are committing themselves to the goal

of a comprehensive national health insurance system.

Well, that is the most expensive health care policy ever created in the mind of man. So, you know, what they say later on in the platform belies that.

And then as I say, they say they are going to cut other unnecessary expenditures, and I guess we have already raised the point: What does that mean, if we cannot even begin through the process of attrition to move operators out of automatic elevators?

I will be glad to yield to the gentleman from Minnesota.

Mr. WEBER. I thank the gentleman for yielding. I would like to refer back to the first point the gentleman made, because I think on the question of defense spending there was more confusion coming out of the Democratic Convention than on just about any other issue.

As I talk to my constituents in my district—and I am sure the same is true of the gentleman from Pennsylvania and our colleague from Florida and others—I find my constituents think that the Democrats are going to balance the budget by reducing the defense budget. I talk to them regularly about it, and that is what they think. That is the sort of image that comes through. And yet it is worth nothing, as the gentleman pointed out, the Democratic platform is not committed to a reduction in the defense budget. It is committed to, I believe, a 3 percent increase in the defense budget.

Mr. WALKER. Let me read from the precise quote from the Democratic platform. It says: They are going to "reduce the rate of increase in defense spending." That is no savings; that is just reducing the rate at which defense spending is increasing.

A lot of us might agree with that, that that may be something that needs to be looked at. But the fact is that we are not going to reduce deficits. We have got current service deficits there that are there despite what you do in defense spending. So that reducing the rate of increase does not lower deficits. It simply means that you are not going to have the budget growing quite as fast as it would otherwise grow. So that is pure nonsense to suggest that that is going to somehow get you massive changes in the deficit problem.

Mr. MACK. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I will be glad to yield to the gentleman from Florida.

Mr. MACK. Well, maybe it would be helpful if we were to put some numbers with the percentages and some of the things we have been talking about, but the gentleman from Minnesota is absolutely correct, the impression that is given that the way you solve the deficit problem in this country is that you really go after defense. And there

was an opportunity, I believe, during the Democratic Convention where they could have gone after the defense. There was a proposal to cut spending by what? Twenty percent?

Mr. WALKER. Jesse Jackson had a proposal on the floor that would have really cut the defense budget.

Mr. MACK. Right.

Mr. WALKER. And they rejected that within the context of the platform debate.

Mr. MACK. By almost a 2-to-1 margin.

Mr. BRYANT. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I will be glad to yield to the gentleman.

Mr. BRYANT. I thank the gentleman for yielding.

I would just like to ask the gentleman if I hear this correctly. Are you criticizing the Democratic Party because they did not cut defense spending?

Mr. WALKER. No, what I am saying here is that in their budget proposals, where they talk about reducing deficits, one of the things that they say they are going to do is that they are going to reduce deficits by reassessing defense spending. And then when we go down and take a look at the defense portion of their platform, we find out that they are not going to reduce defense spending, they are going to reduce the rate of increase; and so, therefore, what I am saying is that that does not in any way get us down from the current service deficit problem.

Mr. BRYANT. The Democratic platform which I presume you are reading from right there either does or does not call for reduced defense spending. Now, which is it?

Mr. WALKER. It says: "We are going to reduce the rate of increase in defense spending."

Mr. BRYANT. Is that not enough, standing alone?

Mr. WALKER. All I am saying to the gentleman, then, is that they cannot, then, in the budget section of their platform claim that that is the way they are going to fight deficits. You cannot fight deficits by raising spending. You have got to fight the deficits by cutting spending. That is not a cut in spending.

Mr. BRYANT. I think it would be very valuable for the American people to hear exactly what it is that you propose or that the Republican conference or that the President proposes to do to deal with the deficits, when in fact—

Mr. WALKER. If I may reclaim my time, I have been on the floor on a number of occasions proposing across-the-board cuts in appropriations bills.

Mr. BRYANT. If the gentleman will yield, though—

Mr. WALKER. I have specifically, myself, with points of order, knocked

out spending that the Democratic controlled committees have brought to the floor that were not properly authorized. We have offered the idea of a constitutional amendment for a balanced budget as a way of ensuring that we impose upon ourselves this discipline. Because every time we offer these cuts, we find that the Democrats almost en masse are voting against those cuts.

Mr. BRYANT. If the gentleman will yield for an intelligent question and give me enough time to frame my question properly, I think what you have to face and what has not been faced by the Republican conference or by the President, either one, is the simple fact that you can either cut defense spending, cut entitlements or raise taxes, or some combination of the three, to deal with the deficits. And all of the time that you all spend after hours on this floor talking about cutting the rest of the budget, waste, fraud and abuse, and so forth, is misleading the American public, in my humble opinion, because of the fact that all the rest of the budget in toto totals only \$150 billion. If you eliminated the FBI, if you eliminated the Department of Education, if you eliminated all of those other agencies that you like to talk about the most, you would have cut out only \$150 billion from the budget and left still a \$50 billion deficit.

Mr. WALKER. But the gentleman misses the point.

Mr. BRYANT. So unless you deal with taxes, unless you deal with defense or unless you deal with entitlements, you are not dealing with the budget, and you do not usually talk about any of the three of them.

Mr. WALKER. Well, if the gentleman will allow me to reclaim my time, the gentleman misses the point of the fact that when we offer to cut even minimal amounts in a lot of those areas—

Mr. BRYANT. Which areas?

Mr. WALKER. The gentleman's party votes against it.

Mr. BRYANT. Which areas?

Mr. WALKER. Well, I have offered across-the-board cuts in nearly all the appropriation bills that have come onto the House floor.

Mr. BRYANT. Let us keep the question before the House here. Defense, entitlements, or tax increases, those are the only three areas—

Mr. WALKER. I am simply saying to the gentleman that when we try to have programs—for example, I offered an across-the-board cut on the agricultural appropriation. That was the one that was adopted.

Mr. BRYANT. But let us talk about defense.

Mr. WALKER. That has an entitlement program in it. The gentleman better keep the facts straight here too. It has an entitlement program in it.

The food stamp program is an entitlement program. Through that amendment we were able to cut the food stamp program by a marginal amount.

It seems to me that we ought to do that on a lot of other bills, and that is exactly what I have been trying to do on the floor, and I have been getting voted down time after time after time.

Mr. BRYANT. But if the gentleman would yield—

Mr. WALKER. The gentleman's liberal friends are not willing to vote to cut the defense budget and a lot of these other budgets at all. They even say in their own platform that what they want to do is reduce the rate of increase.

Mr. BRYANT. Will the gentleman yield for a followup?

Mr. WALKER. That does not help for the future. It does not help for \$200 billion deficits that are here today.

Mr. BRYANT. Would the gentleman yield for a followup?

Mr. WALKER. Sure, I yield.

Mr. BRYANT. Thank you very much.

I simply want to point out that, once again, as you continue your presentation here, you continue to ignore what I said in the beginning, which is irrefutable, and that is the fact that all of those areas of the budget that you complain the most loudly about amount to \$150 billion. If you eliminated all of them, you would still have a \$50 billion deficit. The only way you can deal—

Mr. WALKER. The gentleman is not listening. I just pointed out to him an entitlement program that I came to the floor and helped to cut. Now, the gentleman is not listening. I said to him I am willing to have across-the-board cuts in defense, I am willing to cut out money in entitlement programs, I pointed to him an amendment I had that was successful where we cut out some money in entitlement programs.

Mr. BRYANT. I am listening. As I look around the House I am comforted by the fact that I appear to be the only one who is listening.

Thank you very much.

Mr. WALKER. Well, the gentleman does not seem to understand that I have responded precisely to his question; that we need to cut spending in all categories, including entitlements, including defense, and a lot of other areas.

Mr. ROTH. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Wisconsin.

Mr. ROTH. I thank the gentleman for yielding, and I want to compliment him for taking this special order to talk about the platform, because I think it is important for us to discuss this platform, as it will be with the

platform after our convention has concluded.

In a speech before the Democratic Convention last week, one of the major Presidential candidates kept on uttering and repeating the phrase "Our time has come." Well, I maintain that if you take a look at this platform you will find that everyone's time has come because there is something in this platform for everyone—everyone, that is, except the taxpayer.

Mr. WALKER. The gentleman is right. All of the special interests were taken care of in this platform. There is no doubt about it.

Mr. ROTH. I think it is important for us to start thinking about the taxpayer. After all, it is fine to take a look at the people who are getting the dollars, but someone has to pay the dollars, and that someone is the taxpayer.

□ 1840

I think that we have to keep an equilibrium here in this House when we make value judgments. Yes, we are giving something to someone, but we also are taking something away from someone, because we do not create money here on this floor, we have to collect it from someone. I think it is very important for us to remember that simple fact.

If you take a look at this platform, and what was said at the convention, you would think that we are in the greatest depression since the dawn of history, and yet, I think that our people on the other side of the aisle have lost touch with reality, because that is not the facts that we have today; the empirical evidence is different.

In 1980, candidate Ronald Reagan asked the American people: "Are you better off today than you were 4 years ago?" The American people said no. That is why they changed leadership in 1980. Last week the Democratic Party asked the American people the same question. They evidently feel the answer is going to be "no" again. But I think they are mistaken for these reasons: The fact is, the strength of our economy has been very badly underestimated. In January 1983, when the recovery was just beginning, all the major economic forecasters predicted that unemployment in 1984 would be 9.5 percent. Every major economist predicted 9.5 percent. Today, unemployment stands at 7.1 percent. A third of a point less than when the President took office.

I think we have to talk about the facts. It is fine to have all kinds of rhetoric, but let us get down and start talking about the facts. Where is the foundation of all this discussion? It lies in numbers, and the numbers are here on our side. Since the recovery began, more than 6 million jobs have been created.

Mr. WALKER. Would the gentleman repeat that? The Democrats are big on talking about jobs. How many jobs have been created by this administration?

Mr. ROTH. Since the recovery began, more than 6 million jobs have been created.

Mr. WALKER. Is there any Government make-work program that has ever created 6 million jobs, do you suppose?

Mr. ROTH. Well, that is the question to ask. Is there a public works program that ever created 300,000 jobs, let alone 6 million jobs.

Mr. WALKER. There has not been one since we came to this Congress, anyhow.

Mr. ROTH. Well, I have to agree with the gentleman. If you want to create jobs, you have to get the economy moving. Six million jobs. We have more people employed tonight in America than we have ever had employed in previous history.

Take a look at the gross national product, last month, rather last quarter. The increase was 7.5 percent. No economist a year ago predicted anything that was that optimistic. This improvement follows a 10-percent increase in the previous quarter, and, without increasing inflation, which is something that we always must be concerned about. Inflation has been kept to 3.2 percent.

Now, this is a real achievement. This is an economic miracle, and perhaps, most of all, the real disposable income of Americans has risen nearly 8 percent since 1981. I think when we talk to the American people I think we want to talk about the facts, and the facts are these.

In short, the American people today are better off than they were 4 years ago. Yes, clearly, for some the economic recovery is bad news. There are those who continue to preach that it just cannot last, but we have been listening to that every since the recovery began. Can we believe the pontifications of a political party whose last President brought us 21 percent prime interest rates? Thirteen percent inflation? Inflation which was wiping out financially the senior citizens, the people on fixed income, the middle class of this country.

The Democratic platform is long on criticism of the economy. It finds no fewer than seven threats to economic recovery. It promises a better recovery by promising everything to every single group.

Let me just close by saying this: I want to remind my colleagues of something not that Ronald Reagan said, but that Franklin Roosevelt said 47 years ago, when he said that about heedless self-interest. He said that it makes bad economics. Let me say that I think that it is going to make bad politics too.

I complement the gentleman for taking the floor on this very important topic.

Mr. WALKER. I thank the gentleman from Wisconsin very much. I yield to the gentleman from Florida.

Mr. MACK. Just several points; one, to reflect on what was just said, to put in perspective the comment about the number of jobs. If you take 1983 alone, the number of new jobs created in the country was somewhere around 4.8 or 4.9 million, just under 5 million jobs. That is more jobs than were created in the entire economy of Japan during the entire decade, the entire decade of the 1970's, which was Japan's greatest moment as far as economic growth is concerned.

Mr. WALKER. I yield to the gentleman from Minnesota.

Mr. WEBER. Just to build on that, I believe it is also more jobs than were created in the entire Continent of Europe in the previous 10 years, which is basically an experiment in socialism. So the gentleman's point about Japan is well taken. What our economy has done in the last 2 years is nothing short of extraordinary.

Mr. WALKER. It is being recognized worldwide as being nothing short of extraordinary, because in France today, you have the French Government that had been a socialist Government beginning to change its economic policies to a pattern that sounds almost like Reaganomics in order to try to take on some of the character of the U.S. recovery.

I yield to the gentleman from Minnesota.

Mr. WEBER. I thank the gentleman for yielding. I am crowding out our friend from Florida here, so I will not go on for a long time. I just had to comment on that point.

Is it not interesting that the socialist leader of France, Francois Mitterrand, after years of failing to get his economy moving is now looking at the American experiment and saying, what we are going to do is reduce taxes to get the economy growing and to create jobs, at precisely the same time as the Democratic candidate for President, Mr. Mondale, is pledging to the world, in accepting his party nomination that, what is he going to do? Raise taxes.

Mr. WALKER. Well, he sounds like Francois Mitterrand when Mitterrand was running for office in France several years ago and got elected on a pledge to raise taxes and socialize the economy. If you read the Democratic platform, listen to their candidate for President, he is promising the American people Mitterrand-kind of solutions to the ills that he perceives, and I would suggest that we will get a Mitterrand-type of result as well.

I yield to the gentleman from Florida.

Mr. MACK. I wish that our colleague from Texas had not left because a couple of us wanted to make some comments to try to bring back the focus of that debate or that discussion as to what, what I think the gentleman was really trying to say to him, besides all of the various amendments that you have offered day-in and day-out to reduce spending. I think the point is this: That we have heard so much emphasis from the Democratic Party as to how they were going to solve the deficit problem, one of which happened to be the point that he was raising about defense spending.

Now, here is the point: If they rejected actual cuts in defense, and accepted a level of 3 percent real growth, then you have to ask, well, what is the Republican position at this point? I think the Senate's defense number is somewhere around 7 percent. So that means there is a difference in the level of spending between the two parties on defense somewhere around 4 percent. The 3 percent that they say, and the 7 percent that the Senate says. Four percent.

A 1-percent cut in the defense budget, let us use the \$300 billion budget authority number, a 1-percent cut is \$3 billion. So the difference between the two parties is whether we should spend \$12 billion more or \$12 billion less annually.

Now, the question I would have asked him if he were here is really cutting 12, or reducing the level of increase \$12 billion, is that going to solve the \$200 billion deficit problem? The answer is clearly "no."

Mr. WALKER. I yield to the gentleman from Minnesota.

Mr. WEBER. That becomes particularly important in view of the fact, as the gentleman from Pennsylvania has pointed out, that throughout the Democratic platform, as well as throughout the speeches of their candidate for President, Mr. Mondale are various promises to various interest groups to increase spending on virtually every area of the domestic budget. So we have now the Democratic Party on record for an increase in the defense budget, albeit not as large as the President wants, probably a radical increase in the domestic budget if they make good on their promises. For instance, the health plan that the gentleman referred to could well cost tens of billions of dollars in its first year, and so what are we left with in terms of means to deal with the deficit? If you increase domestic spending dramatically and you increase defense spending somewhat, you are left with only one option in terms of dealing with the deficit, and that is a radical tax increase.

I think the point of this discussion is that if you follow through the logic of the promises in the Democratic platform, that is really where we come.

That is what we are left with. A massive tax increase to be imposed on the American people.

Mr. WALKER. Let us understand how much of a massive tax increase that would have to be. If you were to try to solve the deficit by raising the income taxes of the American people, you would have to tax away every dime of income in this country over \$25,000.

Mr. WEBER. Over \$25,000?

Mr. WALKER. Over \$25,000. You would have to take every family that was making more than \$25,000 and tax away every penny that they earn over \$25,000. Absolutely confiscatory taxation in order to get the deficit down to a balanced budget using taxation alone. Now, that is going to have a major impact on every working family in the country.

That does not mean that you would just begin paying taxes at \$25,000; that means that everybody would continue to pay the same taxes that they are now paying, and then anything above \$25,000 income we would absolutely confiscate every penny above that, because that is what it takes in order to get a balanced budget using taxation alone.

There is no one who believes that \$25,000 families in this country are rich. The Democrats keep talking about the fact that what we are going to do is tax the rich. Well, \$25,000 families in this country today are not rich. That is middle-class America.

□ 1850

The very idea that you have a Democratic Presidential candidate who is telling us, "I am going to raise your taxes," and telling us that flatly, when you begin to understand the numbers on all of this it really means that it is going to have a devastating impact on working families across this country.

So when we do understand that they are not going to cut defense spending in real terms, they are not going to cut entitlement programs, they have told us that flatly here on the floor, the gentleman from Texas makes a valid point that there is not much else to cut, and certainly they have not been showing any willingness to cut in the other areas.

So they are going to solve the problem by raising taxes. That means raising taxes massively on American working families, and American working families simply cannot afford tax increases of that magnitude.

Mr. WEBER. Mr. Speaker, if the gentleman will yield further, one final point I think needs to be made there and that is that it simply will not work. Even if Walter Mondale were elected with strong Democratic majorities in both Houses of Congress and were to pass through this massive tax increase to balance the budget, it

would not work. Why? Because a big tax increase of that kind has a definite effect on the performance of the American economy.

We have seen the deficit reduced from last year's level already from about \$195 billion to about \$165 billion or \$170 billion on an annualized basis. Why? Because of economic growth, because when the economy grows rapidly, more revenues come into the Treasury and we are forced to spend less on programs to help people in need.

So we have seen the budget come down somewhat through economic growth. Now, in calling for a massive tax increase, what the Democrats are really saying is, let us adopt, as the gentleman from Pennsylvania has pointed out, the policies that have failed so miserably in Europe over these last several years. In so doing, one of the things they will do is choke off this economic recovery which will, in itself, dry up revenues coming into the Treasury, force us to spend more money on things like unemployment compensation and welfare and food stamps that help people who are in need, so we will not have the effect of eliminating the deficit even if we do have that massive tax increase because we will throw the economy back into a recession.

Mr. WALKER. What the gentleman is saying is that the Democrats will provide themselves with a self-fulfilling prophecy. They all predicted this was a temporary recovery. Put them in power and it will be a temporary recovery because they will adopt policies that will assure it would be temporary because they will adopt policies that will undercut the recovery and, thereby, eliminate it.

Mr. WEBER. If the gentleman will yield further, the reason they are so sure it will abort the recovery is because they are the exact same policies that they tried under the Carter administration.

Mr. WALKER. That is exactly right. The Carter administration was an economic disaster, and that is precisely the thing that the American people rejected overwhelmingly in 1980, and thereby put into effect a brandnew policy under the Reagan administration.

Let me also point out that the Democrats went beyond talking about budget matters. We have ranged to some other subjects, but one of the things that their platform puts a lot of stress and a lot of emphasis on is the question of jobs. They are sensitive to the fact that unemployment is still too high in the country, even though it is at a level below that which Ronald Reagan inherited from Jimmy Carter.

But the Democrats feel that they, in their platform needed to deal with that jobs issue. It does not acknowledge, really, the fact that job creation

is going on as a result of economic recovery but, rather, what it does is propose Government solutions. It proposes that we substitute Government for growth in the production of jobs. So in paragraph after paragraph in the Democratic platform on the issue of jobs there is discussion of what Government can do to create jobs or to create opportunities for jobs, rather than looking at how we produce an economy growing fast enough that creates the jobs for people and absorbs those people into the totality of the economy.

We have talked a little bit about taxes. The Democratic platform also talks about taxes. It talks about how they are going to raise sufficient revenues "without increasing the burden on average taxpayers." Now, that is nice rhetoric and that sounds very good. I think that is put in there for the very obvious purpose of trying to say to the American people, "We are going to raise taxes, but in the election we do not want to tell you that the taxes that are going to be paid are going to be paid by you."

I have just previously given some figures here that indicate that if we are going to raise taxes enough to reduce the deficits down to a balanced budget, we are in fact going to have to raise taxes massively on the American people, and I do not contend that any Congress would ever pass a bill that would substitute confiscatory taxation for the present tax system on everyone over \$25,000. I do not think that is going to happen. Obviously, it is not going to happen.

But then, if we are not willing to confiscate all income over \$25,000 in order to balance the budget, the question becomes what are we willing to do in the tax system? Then we have got to begin to lower the amounts of income for taxation if we are not going to confiscate all of it above certain levels. What that means is that we begin, then, to get the income level down to about \$15,000, where we begin to raise taxes.

Once, again, I would say that I do not find very many of my constituents who believe that someone earning \$15,000 is not an average taxpayer, is a rich taxpayer who should be soaked further by Government to make up for its own over-spending practices. Yet, when we look down through the Democratic budget, we find them talking about increased taxes of all varieties, and my contention would be that those increased taxes are going to have a devastating impact on average American working families.

The Democrats in their platform talk extensively about arms control. It is one of the major items that they have in their platform. It is one of the major items that they claim that they are going to be campaigning across the country on. I hope the American

people will take a close look at that section of the platform. I hope that they will ask the Democrats what some of that language means, because if we take language like "that they propose an early summit with regular annual summits to follow with the Soviet leaders," that is one of the major proposals, and then a number of others.

In my view, as I read through it, their whole arms control package is based upon one concept, and that is "Trust the Soviets"; that somehow we can build a trustworthy relationship with the Soviet Union that thereby allows us to reduce our own nuclear arms and do a lot of other wonderful things. But the bottom line is that the policy comes down to "Trust the Soviets."

My own view is that the Soviet Union cannot be dealt with as a trustworthy power; that they have violated our trust in all too many instances; that if we are going to arrive at arms control policies, and I think it is valuable for us to move in that direction, we are going to have to do things which do not trust the Soviets but deal with the Soviets. Dealing is different than trusting in that what you do is that you deal from a hard-nosed basis; that you deal with reality; that you deal from strength; that you make absolutely certain that everything that you do is nailed down; that every agreement is spelled out in detail; that there are no loopholes; that there are no chances for violations of these kinds of things.

That is a policy that gets you real arms control that works. Too much of the Democratic platform and the Democratic promises with regard to arms control do not talk about that kind of tough-minded stance but, rather, talk about the kinds of things which I would contend add up to trusting the Soviets.

The Democrats talk about health care, and I have mentioned previously that they make a commitment to "the long-term goal of comprehensive national health insurance." Not only is that expensive, as I have mentioned before, not only does that belie their deficit-reducing package where they said they were going to reduce the deficit by controlling health costs, but it is also the question of whether or not this country wants to move in the direction of socialized medicine.

□ 1900

A comprehensive national health insurance program is nothing short of that which has been tried in a number of European countries. It comes down to being socialized medicine. I would contend that is expensive. I would contend, moreover, it is a policy which reduces substantially the quality of health care and results in a two-tiered health system, one paid for in massive

amounts by the taxpayer, another which provides most of the health care and is still paid for privately by individuals, such as what we have found to be the experience in places like Great Britain. That is not movement toward doing something meaningful to change what are the legitimate health care problems in this country, what people are legitimately concerned about when they go to the hospital or go to their doctors. That will not overcome those problems. In fact, in many ways it will aggravate those problems.

Well, there are a number of other items and I intend to review those at some point in the future, Mr. Speaker, but I think at this point I will stop with this particular discourse on the Democratic platform, pick it up at a later day, and yield back the balance of my time.

FEDERAL CHARTER FOR THE POLISH LEGION OF AMERICAN VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, on July 23, the President signed into law my legislation granting a Federal charter to the Polish Legion of American Veterans, U.S.A., and I rise to congratulate this outstanding organization on this momentous achievement.

The members of the Polish Legion of American Veterans have been waiting for more than 35 years for this recognition, and I would like to take this opportunity to express my gratitude to the many Members of the House of Representatives and the Senate who supported the Polish Legion of American Veterans in this effort. I would especially like to express my gratitude to Senator FRANK MURKOWSKI, who successfully steered this legislation through the U.S. Senate, and to thank the distinguished chairman of the House Judiciary Committee, the Honorable PETER RODINO, and the distinguished chairman of the Subcommittee on Administrative Law and Governmental Relations, the Honorable SAM HALL, for their expeditious consideration of this bill during the first session of the 98th Congress.

Most importantly, my bill could not have gone forward without the tireless efforts of Norman A. Lelo, the national commander of the PLAV, and the many officers and members of the Polish Legion of American Veterans, whose hard work made this Federal charter a reality. Last October when the Subcommittee on Administrative Law and Governmental Relations of the House Judiciary Committee held hearings on this legislation, Commander Lelo led an outstanding group

of witnesses to testify in support of granting a charter and the testimony of these dedicated individuals contributed mightily to obtaining this charter. Wanda Swiecki, the national president of the ladies auxiliary gave a detailed report on the auxiliary's activities, and Ralph Wozniak, the national veterans administration volunteer service director of the PLAV, provided the subcommittee with valuable data on the volunteer services of the organization. From my own State of Illinois, Fred Skowronski, national treasurer, made an invaluable contribution to moving this legislation, not only by testifying at this hearing, but also by first bringing the organization's desire to obtain a Federal charter to my attention. Aloysius Mazewski, the national president of the Polish National Alliance and of the Polish American Congress, also appeared before the subcommittee, and helped mobilize support for this legislation.

Other team players who contributed to the strength of the presentation before the subcommittee included: Gene Hentkowski, national finance director; John Wierzbza, national public relations officer, and Frank Tadrzynski, past national commander. Without the actions of all of these individuals, this legislation could not have become public law, and I am proud to have worked with the many members and officers of the Polish Legion of American Veterans, in their efforts to obtain a Federal charter for their fine organization. Polish-American war veterans have had a long history of service to the United States, both in war and in peace, and I know of no group which is more worthy of this recognition.

Organized in 1921 by Polish-American veterans of World War I, the Polish Legion of American Veterans has almost 14,000 members and maintains posts in Connecticut, Florida, Illinois, Indiana, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin. These volunteers perform valuable volunteer services in some 45 Veterans' Administration hospitals throughout the United States.

In addition to providing voluntary community and hospital services, the Legion sponsors a yearly national scholarship contest to assist worthy students in obtaining their education, and for the last 25 years has also sponsored a yearly Americanism essay contest to inspire the young people. Members of the Polish Legion of American Veterans conduct an aid to the blind program, provide gifts to men and women in the armed services at Christmastime, and contribute food and medicine relief for the hard-pressed people of Poland.

The granting of a Federal charter finally gives these veterans the recognition they richly deserve, and this

chapter will help the Polish Legion of American Veterans expand their volunteer services, which are provided without charge to the American taxpayers. When we encourage organizations like the Polish Legion of American Veterans, we strengthen America's tradition of volunteer action which is vital to the continued well-being of all of our country's citizens.

Mr. Speaker, I again congratulate the Polish Legion of American Veterans on meriting this recognition, and I extend to them my best wishes for continued success in all further charitable and volunteer efforts on behalf of America's veterans and their families.●

FRANCIS HEISLER—A GREAT DEFENDER OF CIVIL LIBERTIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

● Mr. PANETTA. Mr. Speaker, I am sad to report to the House on the death of a great citizen of Monterey County, CA, Francis Heisler. Mr. Heisler had a 50-year career as an attorney in which he championed civil liberties and represented the needy. He died of cancer at the age of 88. He was a friend as well as an example to me and many others of what dedication to justice is all about.

Mr. Heisler was born in Hungary in 1895. In 1921, he went to work as a design engineer for German General Electric in Berlin but came to this country in 1924 after a dispute with his employer about his union activities.

Working in Chicago during the 1920's as an engineer for utility companies, at night Mr. Heisler taught history at Chicago City College and studied at John Marshall Law School. In 1930, he was admitted to the Illinois bar.

In Chicago during the Depression, Mr. Heisler defended poor people in disputes with banks, landlords, and utility companies and represented workers in union-related cases. He also became a civil liberties lawyer for the American Civil Liberties Union and won a landmark free-speech case before the Supreme Court. He also defended between 1,500 and 2,000 conscientious objectors during World War II.

In 1948, Mr. Heisler opened up law offices in Carmel, CA, although he retained his Chicago practice as well. He won a number of important civil liberties cases in the area.

Mr. Heisler was also committed to helping end the nuclear arms race. In 1958, and again in 1962, he filed suit in both the United States and the Soviet Union seeking a ban on nuclear testing on behalf of international figures such as Linus Pauling, Bertrand Russell,

James Baldwin, Joan Baez, and Erich Fromm. Eventually, both nations signed a treaty ending atmospheric nuclear testing.

Mr. Heisler received a number of awards during his long career, including the first Ralph M. Atkinson Award by the Monterey ACLU chapter in 1977 and the Earl Warren Civil Liberties Award from the ACLU Foundation of Northern California in the same year. The Monterey chapter created a similar award in Mr. Heisler's honor this year.

Francis Heisler's career was devoted to the protection and enhancement of individual rights in our country. While the issues may have changed from the 1930's to the present, his commitment never wavered, and his victories and even his defeats in court helped to strengthen our constitutional rights and liberties. For these accomplishments, our Nation and we as individuals owe Mr. Heisler a debt of gratitude. His work will live for many decades to come.

I am proud to say that Francis Heisler was my friend. He inspired others to fight when retreat was easy, to speak out when silence was comfortable, to seek justice when injustice was accepted, to find freedom when bondage was tolerated, and to do all of this regardless of the popularity of each cause. He was the definition of a defender of civil liberties.

I hope my colleagues will join me in expressing sympathy to Mr. Heisler's wife, Dr. Friedy Heisler, and the rest of his family at this very difficult time.●

THE HEALTH EFFECTS OF RADIATION RESEARCH ACT OF 1984

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. WIRTH] is recognized for 5 minutes.

● Mr. WIRTH. Mr. Speaker, since the beginning of this century, Government has recognized that one of its most important functions is ensuring the safety of our Nation's workers. Substantial progress has been made since the days of Upton Sinclair's "The Jungle" in providing a safer and healthier work environment. No longer are manufacturing plants dens of torture. No longer do we turn our backs on the black lung and brown lung plight facing our miners. Our Nation can be proud of the progress that has been made in providing a healthy working environment, although further efforts are necessary in many industries.

The nuclear industry, however, faces a different situation. There are approximately 80,000 men and women employed in nuclear facilities across the country who are exposed to heavy amounts of radiation every day. Since

the early tests of nuclear weapons, there has been disagreement and controversy over the health hazards posed by heavy radiation exposure. Because of this uncertainty, efforts have been made to ensure the safety of workers through regulations and safety precautions. At the same time, research has been encouraged to determine the magnitude of the health hazards facing workers. It is imperative that this research be done in the most objective and unbiased manner possible. Yet, the Federal agency performing the bulk of this research is the same agency which has responsibility for operating and promoting nuclear facilities: the Department of Energy. This is akin to allowing the plant manager in the meatpacking plant in "The Jungle" to determine what is safest for the plant's workers.

The Department of Energy is currently responsible for approximately 60 percent of the Federal research into the health effects of radiation. At the same time, this agency operates and maintains our nuclear production facilities. This conflict of interest casts doubts on the objectivity of their research and on their interest in worker safety and health.

Research into the health effects of radiation must be continued. We must not relent in the search for answers. However, it is critical that this research be conducted objectively, in a manner in which workers and the public can place the highest confidence. The quality of the research conducted by the Department of Energy and the validity of its conclusions is not in question. Instead, the issue is whether the workers and the industry can have confidence in the work. No Federal agency which manages the facilities it studies can meet this concern.

For this reason I am introducing legislation to transfer the authority for these studies from the Department of Energy to the Department of Health and Human Services [HHS]. There are several reasons why HHS makes a better choice. Intuitively, it makes more sense to have health research conducted by an agency responsible for health issues, not one responsible for operating energy and defense programs. Moreover, HHS and several agencies within the Department have studied the health effects of radiation extensively. These include the National Cancer Institute, the Bureau of Radiation Health in the Food and Drug Administration, the National Institute for Occupational Safety and Health, the National Institute of Environmental Health Sciences and the Centers for Disease Control. The Secretary of HHS, under this legislation, would consult with the heads of all of these agencies in conducting the research. Finally, an advisory panel would be es-

tablished to provide advice and assistance in conducting this research.

Mr. Speaker, this legislation is long overdue. There have been numerous attempts in recent years to shift research responsibility from DOE to public health agencies, but we always seem to end up where we started, with DOE performing most of the work and public health agencies performing very little. Task forces and advisory panels have been created, but they are short-lived. Congress must enact legislation specifically mandating the transfer of this function. It is my hope that it will not take a disaster like one which occurred at the Sunshine Silvermine disaster before this action is taken. Prior to that tragedy, responsibility for miner's health and safety lay with the Department of the Interior, the same agency interested in promoting coal production. Only after more than 90 people were killed did Congress realize that you can't have both worker safety and production under the same leadership and transferred mine safety and health out of the Department of the Interior. Let us act now before a similar disaster occurs in the nuclear industry. ●

THE DEATH OF GEN. "BEBY" TURNAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

● Mr. MONTGOMERY. Mr. Speaker, on June 30 Mississippi lost one of its finest leaders. Evan Albert "Beb" Turnage died at his home in Monticello, MS, following a lengthy illness. "Beb" Turnage was perhaps best known for his work on behalf of the Mississippi National Guard, in which he served 30 years.

He was adjutant general of the Mississippi National Guard under former Governor William Waller and retired from the Guard in 1980. He attained the rank of major general.

In addition to his outstanding military service to our State and this Nation, he also had a distinguished career as an attorney, chancery judge, and professor at the Mississippi College School of Law. He was dean of the law school from 1980 to 1982.

I am proud to have worked with and served with "Beb" Turnage. He was a great American and we will all miss him.

I want to share this account of his accomplishments which appeared in the Lawrence County, MS, Press on July 5:

[From the Lawrence County Press, July 5, 1984]

GEN. E.A. TURNAGE DIES AT 66

Funeral services were held at Monticello Baptist Church Monday afternoon for Evan Albert "Beb" Turnage, former Monticello mayor and former three-star general and

commander of the Mississippi National Guard. Gen. Turnage died last Saturday afternoon at his home in Monticello following a long battle with cancer. He was 66.

Gen. Turnage was well-known throughout Mississippi. He was adjutant general in charge of the Mississippi National Guard under former Gov. William Waller. He later acquired the rank of major general.

Gen. Turnage was a graduate of New Hebron High School and Copiah-Lincoln Junior College. He was Co-Lin Alumnus of the Year in 1972. Before entering the U.S. Army to serve in North Africa and Europe during World War II, Turnage worked as county engineer in Waltham County. Following WWII, he was awarded the purple heart and was discharged at the rank of captain.

After his stint in the Army, he enrolled at the University of Mississippi and graduated from the Ole Miss Law School in 1948. He was elected County Attorney here his first year out of law school. He was also attorney for the Lawrence County Board of Supervisors.

In 1950, he organized and commanded Company "D" 106 Construction Engineers of the 31st Dixie Division of the Mississippi National Guard headquartered in Monticello.

The local guard unit went into active duty on Jan. 16, 1950, and he served as lieutenant colonel. He was later elected chancery judge of the 13th District Court, a position he held until appointed adjutant general by Gov. Waller.

He retired from the Guard in 1980, and then began serving as professor at the Mississippi College School of Law, where he was instrumental in helping the school obtain accreditation. He served as dean of the law school from 1980 to 1982, when he retired.

After his retirement, Gen. Turnage returned to a limited law practice in Monticello.

Other involvements included four years as mayor of Monticello and a term in the Mississippi House of Representatives. He helped organize South Central Bank, and helped establish Lawrence County Insurance and Realty.

Gen. Turnage was honored by the Lawrence County Chamber of Commerce recently with the annual E.M. Graham Award of Excellence. He received the award at the chamber's annual banquet last April. It was also announced at the banquet that the Chamber is establishing a scholarship at Copiah-Lincoln Junior College for a Lawrence County ROTC student to be awarded each year.

Also at the Chamber Banquet, representatives from the Mississippi National Guard presented Gen. Turnage with the Mississippi Magnolia Cross—the state's highest personal award; the Chief's Eagle Award—the state Guard's highest award; and an award presented by the State Guard Officers Association.

Gen. Turnage was a member of the Monticello Lions Club, the New Hebron Masonic Lodge, a deacon of the Monticello Baptist Church, and a former Sunday School teacher there, a member of the state Oil and Gas Board, director of the Pearl River Basin Development District, director of Southern Pine Election Power Association, and served on the board of directors for First Bank.

He is survived by his wife, Ethlyn Dale "Tera" Turnage; a son, Thomas Albert Turnage of Monticello; a daughter, Lynn Dale Turnage Raynolds of Monticello; a sister,

Mrs. O.M. Lela Victoria Anderson of Jackson; and three grandchildren.

Burial was in the New Habron Cemetery, where he was honored with the traditional 21 gun salute by the Mississippi National Guard.

Active pallbearers were; Sonny Turnage, James Jones, Pat Shivers, James Ray Benson, Lloyd Powell, Jack Parkman, Simp Lambert, and Julius Stapleton.

Honorary pallbearers were; Don Druger, Bill McCallus, Gus Wall, Roger Martin, Don Stormo, Dr. J.W. Waller, Dr. B.B. Pace, Glyn Hughes, Billy Harvey, Frank Allen, Jim Miles, Bobby Moore, Jerry McLean, Tommy Jolly, Rep. Wayne Dowdy, former Gov. William Waller, former Gov. William Winter, Judge Neville Patterson, and Rep. G.V. Montgomery. ●

RECOVERY?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, as I said yesterday, I will continue to speak out on the basic issue that, until resolved, will be the undoing of our prideful American standard of living which has indeed and in fact eroded already.

Now, we hear much talk about economic recovery, but I think that we lose sight of what it is the people talking about economic recovery are talking about and what they really mean. We must remember that we are really in 1984 and the Orwellian use of words is rampant.

The economy has recovered all right to about what it was in 1981, so when these good folks talk about recovery, they are not talking about recovery to some pristine period of time, but to 1981, the year these same folks talk about as a devastating year, as a year that must be turned and changed.

Now, maybe even this return to the 1981 level could continue except for the fact of the constant presence of usurious and extortionate and insidious interest rates that are truly robbing the American people of any kind of economic security. Certainly it has already cheated a generation or so of the dream of such things as homeownership, not with these present usurious, extortionate, wrongful interest rates, because they are slowly but inexorably choking us to death.

With respect to the so-called gross national product improvement of the economy and again which is a hair above what it was in 1981, which is considered by everybody as a terrible year now, not as bad as 1982, not as bad as 1983, but bad enough to have swept Jimmy Carter out of the White House, so we are back to where we started almost 4 years ago. Is that reason for cheer and elation?

The unemployment rate is slightly less than it was in 1981, but there are more people out of work today than there were then. Today there are

better than 8 million people officially listed out of work—officially. That does not count from 1 to 2½ million that have simply dropped out of the counting list, but are unemployed.

Well, this is the same as it was in 1981. What is so good about that?

The industrial production index, which is something not mentioned here, is at almost 82 percent. Yes; much better than last year, thank goodness, but not one whit better than it was in 1981.

Housing starts are better off than they were at the beginning of this year than they were in 1981, but they are not a whit better or they were not just a few months ago than they were a year ago, and mortgage rates are again climbing because interest rates are climbing, coming very close to what they were in 1981. Mortgage rates today are 14.6 percent at least and more if you throw in the points and everything in the real world, which in real terms is higher than ever before. Is that progress?

The balance of trade—and at this point I would like to insert into the RECORD an article appearing in today's July 24 Dallas Morning News, entitled "Trade Deficit Could Double, Report Predicts."

[From the Dallas Morning News, July 24, 1984]

TRADE DEFICIT COULD DOUBLE, REPORT PREDICTS

WASHINGTON.—The United States, which posted its worst foreign trade performance in 1983, could nearly double the red ink this year and run abnormally high deficits for the foreseeable future, the government predicted Monday.

The Commerce Department, in a bleak assessment of U.S. trading prospects, said the merchandise trade deficit for 1984 could well be in the range of \$120 billion to \$130 billion.

In 1983, the country, posted a \$69.4 billion trade deficit, far surpassing the previous record of \$42.7 billion set in 1982.

In a new report, the Commerce Department said the trading gap "should not be expected to narrow quickly."

The huge trade gap has been blamed primarily on two factors. A strong U.S. dollar has made imports relatively cheap and U.S. exports relatively expensive. Also, the U.S. economy recovered from the 1981-82 recession much faster than the rest of the world, spurring strong consumer demand in this country while demand in other countries remained flat.

The dollar is expected to weaken in coming months, and economic growth in foreign nations is expected to pick up steam.

These two factors, while helping alleviate the trade imbalance, will not erase it overnight, the report said.

"A reduction of the U.S. trade deficit to even the \$40 billion levels of 1977-82 can only be gradual, even with a favorable movement of the dollar," the report said.

One of the problems, the report said, is growing competition with U.S. exports from newly industrialized countries such as Brazil, Mexico, South Korea and Taiwan, who are beginning to penetrate world markets for heavy industry and high-technology products.

In 1983, the surplus high-technology trade—traditionally a source of U.S. trading strength—declined 23 percent from \$22 billion the year before to \$17 billion, the report said.

In the largest high-technology category, communication equipment and electronic components, imports of \$19.1 billion in 1983 were 70 percent higher than exports of \$11.1 billion.

I might mention that the trade deficit of last year exceeded tremendously any trade deficit in the history of our country. These are things that we cannot sneeze off. We must face them.

The continuation of this trade deficit is the biggest single menace confronting our Nation today, confronting the ins, confronting the outs, and all those that really know, the experts who kind of hold their breath hoping that the thing will hold together until November 6, it may not; so the balance of trade today is at a record deficit. That deficit is twice what it was in 1981 and it is getting worse every minute that I am speaking here today.

Now, that may sound dull and dry, as most significant things do, but what that means is that we are losing jobs, exporting jobs. Millions of jobs have disappeared because our industrial goods are no longer competitive with the rest of the world. Why?

Well, interest rates not only kill sales here, but they kill sales abroad. The administration's unwillingness to fight against unfair trade practices contributes to the outflow of jobs and this is a deficit that worsens each day, each hour, draining jobs away with every turn of the tide.

Interest rates are not going down. They are going up, as I have said repeatedly, because the notion is loose in the land, propagated by the very instigators of high interest rates, those that justify high interest rates and try to say that interest rates are like an act of God, nobody can do anything about them, which of course is untrue.

Now, is this progress? Is this recovery?

The prime rate is up to more than 13 percent—the prime rate, which is a 30-percent rise in the past year alone, and rising. Is that progress?

Treasury bill rates are ballooning upward, so much so that the so-called deficit reduction over which the Congress heaved and moaned just a few weeks ago before we quit for the recess; so-called deficit reduction actions have been canceled out just in the intervening weeks because of the increased cost of interest charges for servicing the national debt.

Interest rates again, is that recovery?

Municipal bond rates are up. Mortgage rates are at record heights. That is not recovery. That is a threat of devastation.

□ 1900

Yes; we have a rosy glow, but it is the glow of a fevered economy, a sick economy. It is the same rosy glow that you see that a fevered patient has. It may look good to the inexperienced eye but it is frightening to anyone who knows what is really happening.

And at the bottom of it all is this same question that has plagued mankind since written history of human activity, usurious, extortionate, unjust, unconscionable rates of interest.

I yield back the balance of my time.

GOVERNOR CUOMO'S KEYNOTE ADDRESS TO THE 1984 DEMOCRATIC NATIONAL CONVENTION IN SAN FRANCISCO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 5 minutes.

● Mr. STRATTON. Mr. Speaker, the keynote address of New York Gov. Mario M. Cuomo to the 1984 Democratic National Convention has been hailed by many as one of the most outstanding keynote addresses in history.

As the dean of the New York delegation, I wish to bring to the attention of my colleagues this keynote address. Therefore, I include here with my remarks the prepared text of the address as printed in the New York Times of July 17, 1984.

The text follows:

TEXT OF KEYNOTE ADDRESS BY GOVERNOR CUOMO TO CONVENTION

On behalf of the Empire State and the family of New York, I thank you for the great privilege of being allowed to address this convention.

Please allow me to skip the stories and the poetry and the temptation to deal in nice but vague rhetoric.

Let me instead use this valuable opportunity to deal with the questions that should determine this election and that are vital to the American people.

Ten days ago, President Reagan admitted that although some people in this country seemed to be doing well nowadays, others were unhappy, and even worried, about themselves, their families and their futures.

The President said he didn't understand that fear. He said, "Why, this country is a shining city on a hill."

The President is right. In many ways we are "a shining city on a hill."

But the hard truth is that not everyone is sharing in this city's splendor and glory.

A shining city is perhaps all the President sees from the portico of the White House and the veranda of his ranch, where everyone seems to be doing well.

But there's another part of the city, the part where some people can't pay their mortgages and most young people can't afford one, where students can't afford the education they need and middle-class parents watch the dreams they hold for their children evaporate.

In this part of the city there are more poor than ever, more families in trouble. More and more people who need help but can't find it.

Even worse: There are elderly people who tremble in the basements of the houses there.

There are people who sleep in the city's streets, in the gutter, where the glitter doesn't show.

THERE IS DESPAIR, MR. PRESIDENT

There are ghettos where thousands of young people, without an education or a job, give their lives away to drug dealers every day.

There is despair, Mr. President, in faces you never see, in the places you never visit in your shining city.

In fact, Mr. President, this nation is more a "Tale of Two Cities" than it is a "Shining City on a Hill."

Maybe if you visited more places, Mr. President, you'd understand.

Maybe if you went to Appalachia where some people still live in sheds and to Lackawanna where thousands of unemployed steel workers wonder why we subsidized foreign steel while we surrender their dignity to unemployment and to welfare checks; maybe if you stepped into a shelter in Chicago and talked with some of the homeless there; maybe, Mr. President, if you asked a woman who'd been denied the help she needs to feed her children because you say we need the money to give a tax break to a millionaire or to build a missile we can't even afford to use—maybe then you'd understand.

Maybe, Mr. President.

But I'm afraid not.

Because, the truth is, this is how we were warned it would be.

President Reagan told us from the beginning that he believed in a kind of social Darwinism. Survival of the fittest. "Government can't do everything," we were told. "So it should settle for taking care of the strong and hope that economic ambition and charity will do the rest. Make the rich richer and what falls from their table will be enough for the middle class and those trying to make it into the middle class."

The Republicans called it trickle-down when Hoover tried it. Now they call it supply side. It is the same shining city for those relative few who are lucky enough to live in its good neighborhoods.

But for the people who are excluded—locked out—all they can do is to stare from a distance at that city's glimmering towers. It's an old story. As old as our history.

COURAGE AND CONFIDENCE

The difference between Democrats and Republicans has always been measured in courage and confidence. The Republicans believe the wagon train will not make it to the frontier unless some of our old, some of our young and some of our weak are left behind by the side of the trail.

The strong will inherit the land!

We Democrats believe that we can make it all the way with the whole family intact.

We have. More than once.

Ever since Franklin Roosevelt lifted himself from his wheelchair to lift this nation from its knees. Wagon train after wagon train. To new frontier of education, housing, peace. The whole family aboard. Constantly reaching out to extend and enlarge that family. Lifting them up into the wagon on the way. Blacks and Hispanics, people of every ethnic group, and Native Americans—all those struggling to build their families claim some small share of America.

For nearly 50 years we carried them to new levels of comfort, security, dignity, even affluence.

Some of us are in this room today only because this nation had that confidence.

It would be wrong to forget that.

TO SAVE THE NATION

So, we at this convention to remind ourselves where we come from and to claim the future for ourselves and for our children.

Today, our great Democratic Party, which has saved this nation from depression, from fascism, from racism, from corruption, is called upon to do it again—this time to save the nation from confusion and division, from most of all from a fear of a nuclear holocaust.

In order to succeed, we must answer our opponent's polished and appealing rhetoric with a more telling reasonableness and rationality.

We must win this case on the merits.

We must get the American public to look past the glitter, beyond the showmanship—to reality, to the hard substance of things. And we will do that not so much with speeches that sound good as with speeches that are good and sound.

Not so much with speeches that bring people to their feet as with speeches that bring people to their senses.

We must make the American people hear our "tale of two cities."

We must convince them that we don't have to settle for two cities, that we can have one city, indivisible, shining for all its people.

We will have no chance to do that if what comes out of this convention, what is heard throughout the campaign, is a babel of arguing voices.

To succeed we will have to surrender small parts of our individual interests, to build a platform we can all stand on, at once, comfortably, proudly singing out the truth for the nation to hear, in chorus, its logic so clear and commanding that no slick commercial, no amount of geniality, no martial music will be able to muffle it.

THE LUCKY AND THE LEFT OUT

We democrats must unite so that the entire nation can. Surely the Republicans won't bring the convention together. Their policies divide the nation: into the lucky and the left-out, the royalty and the rabble.

The Republicans are willing to treat that division as victory. They would cut this nation in half, into those temporarily better off and those worse off than before, and call it recovery.

We should not be embarrassed or dismayed if the process of unifying is difficult, even at times wrenching.

Unlike any other party, we embrace men and women of every color, every creed, every orientation, every economic class. In our family are gathered everyone from the abject poor of Essex County in New York, to the enlightened affluent of the gold coasts of both ends of our nation. And in between is the heart of our constituency. The middle class, the people not rich enough to be worry-free but not poor enough to be on welfare, those who work for a living because they have to. White collar and blue collar. Young professionals. Men and women in small business desperate for the capital and contracts they need to prove their worth.

We speak for the minorities who have not yet entered the mainstream.

For ethnics who want to add their culture to the mosaic that is America.

For women indignant that we refuse to etch into our governmental commandments the simple rule "thou shalt not sin against

equality," a commandment so obvious it can be spelled in three letters: e.r.a.!

For young people demanding an education and a future.

For senior citizens terrorized by the idea that their only security, their Social Security, is being threatened.

For millions of reasoning people fighting to preserve our environment from greed and stupidity. And fighting to preserve our very existence from a macho intransigence that refuses to make intelligent attempts to discuss the possibility of nuclear holocaust with our enemy. Refusing because they believe we can pile missiles so high that they will pierce the clouds and the sight of them will frighten our enemies into submission.

PROUD OF DIVERSITY

We're proud of this diversity. Grateful we don't have to manufacture its appearance the way the Republicans will next month in Dallas, by propping up mannequin delegates on the convention floor.

But we pay a price for it.

The different people we represent have many points of view. Sometimes they compete and then we have debates, even arguments. That's what our primaries were.

But now the primaries are over, and it is time to lock arms and move into this campaign together.

If we need any inspiration to make the effort to put aside our small differences, all we need to do is to reflect on the Republican policy of divide and cajole and how it has injured our land since 1980.

The President has asked us to judge him on whether or not he's fulfilled the promises he made four years ago. I accept that. Just consider what he said and what he's done.

Inflation is down since 1980. But not because of the supply-side miracle promised by the President. Inflation was reduced the old-fashioned way, with a recession, the worst since 1932. More than 55,000 bankruptcies. Two years of massive unemployment. Two-hundred-thousand farmers and ranchers forced off the land. More homeless than at any time since the Great Depression. More hungry, more poor—mostly women—and a nearly \$200 billion deficit threatening our future.

The President's deficit is a direct and dramatic repudiation of his promise to balance our budget by 1983.

That deficit is the largest in the history of this universe; more than three times larger than the deficit in President Carter's last year.

It is a deficit that, according to the President's own fiscal advisor, could grow as high as \$300 billion a year, stretching "as far as the eye can see."

It is a debt so large that as much as one-half of our revenue from the income tax goes to pay the interest on it each year.

MORTGAGE ON CHILDREN'S FUTURE

It is a mortgage on our children's futures that can only be paid in pain and that could eventually bring this nation to its knees.

Don't take my word for it—I'm a Democrat.

Ask the Republican investment bankers on Wall Street what they think the chances are this recovery will be permanent. If they're not too embarrassed to tell you the truth, they'll say they are appalled and frightened by the President's deficit. Ask them what they think of our economy, now that it has been driven by the distorted value of the dollar back to its colonial condition, exporting agricultural products and importing manufactured ones.

Ask those Republican investment bankers what they expect the interest rate to be a year from now. And ask them what they predict for the inflation rate then.

How important is this question of the deficit?

Think about it: What chance would the Republican candidate have had in 1980 if he had told the American people that he intended to pay for his so-called economic recovery with bankruptcies, unemployment and the largest Government debt known to humankind? Would American voters have signed the loan certificate for him on Election Day? Of course not! It was an election won with smoke and mirrors, with illusions. It is a recovery made of the same stuff.

And what about foreign policy?

They said they would make us and the whole world safer. They say they have.

By creating the largest defense budget in history, one even they now admit is excessive * * * to discuss peace with our enemies. By the loss of 279 young Americans in Lebanon in pursuit of a plan and a policy no one can find or describe.

We give monies to Latin American governments that murder nuns, and then lie about it.

We have been less than zealous in our support of the only real friend we have in the Middle East, the one democracy there, our flesh and blood ally, the state of Israel.

Our policy drifts with no real direction, other than an hysterical commitment to an arms race that leads nowhere, if we're lucky. If we're not—could lead us to bankruptcy or war.

Of course we must have a strong defense!

Of course Democrats believe that there are times when we must stand and fight. And we have. Thousands of us have paid for freedom with our lives. But always, when we've been at our best, our purposes were clear.

OUR ALLIES ARE CONFUSED

Now they're not. Now our allies are as confused as our enemies.

Now we have no real commitment to our friends or our ideals to human rights, to the refuseniks, to Sakharov, to Bishop Tutu and the other struggling for freedom in South Africa.

We have spent more than we can afford. We have pounded our chest and made bold speeches. But we lost 279 young Americans in Lebanon and we are forced to live behind sand bags in Washington.

How can anyone believe that we are stronger, safer or better?

That's the Republican record.

That its disastrous quality is not more fully understood by the American people is attributable, I think, to the President's amiability and the failure by some to separate the salesman from the product.

MAKE THE CASE TO AMERICA

It's now up to us to make the case to America.

And to remind Americans that if they are not happy with all the President has done so far, they should consider how much worse it will be if he is left to his radical proclivities for another four years unrestrained by the need once again to come before the American people.

If July brings back Anne Gorsuch Burford, what can we expect of December?

Where would another four years take us?

How much larger will the deficit be?

How much deeper the cuts in programs for the struggling middle class and the poor to limit that deficit? How high the interest

rates? How much more acid rain killing our forests and fouling our lakes?

What kind of Supreme Court? What kind of court and country will be fashioned by the man who believes in having government mandate people's religion and morality?

The man who believes that trees pollute the environment, that the laws against discrimination go too far. The man who threatens Social Security and Medicaid and help for the disabled.

How high will we pile the missiles?

How much deeper will be the gulf between us and our enemies?

Will we make meaner the spirit of our people?

This election will measure the record of the past four years. But more than that, it will answer the question of what kind of people we want to be.

We Democrats still have a dream. We still believe in this nation's future.

A CREDO FOR THE DEMOCRATS

And this is our answer—our credo:

We believe in only the government we need, but we insist on all the government we need.

We believe in a government characterized by fairness and reasonableness, a reasonableness that goes beyond labels, that doesn't distort or promise to do what it knows it can't do.

A government strong enough to use the words "love" and "compassion" and smart enough to convert our noblest aspirations into * * *

We believe in encouraging the talented, but we believe that while survival of the fittest may be a good working description of the process of evolution, a government of humans should elevate itself to a higher order, one which fills the gaps left by chance or a wisdom we don't understand.

We would rather have laws written by the patron of this great city, the man called the "world's most sincere Democrat," St. Francis of Assisi, than laws written by Darwin.

We believe, as Democrats, that a society as blessed as ours, the most affluent democracy in the world's history, that can spend trillions on instruments of destruction, ought to be able to help the middle class in its struggle, ought to be able to find work for all who can do it, room at the table, shelter for the homeless, care for the elderly and infirm, hope for the destitute.

PEACE IS BETTER THAN WAR

We proclaim as loudly as we can the utter insanity of nuclear proliferation and the need for a nuclear freeze, if only to affirm the simple truth that peace is better than war because life is better than death.

We believe in firm but fair law and order, in the union movement, in privacy for people, openness by government, civil rights, and human rights.

We believe in a single fundamental idea that describes better than most textbooks and any speech what a proper government should be. The idea of family. Mutuality. The sharing of benefits and burdens for the good of all. Feeling one another's pain. Sharing one another's blessings. Reasonably, honestly, fairly, without respect to race, or sex, or geography or political affiliation.

We believe we must be the family of America, recognizing that at the heart of the matter we are bound one to another, that the problems of a retired school teacher in Duluth are our problems. That the future of the child in Buffalo is our future. The struggle of a disabled man in Boston to

survive, to live decently in our struggle. The hunger of a woman in Little Rock, our hunger. The failure anywhere to provide what reasonably we might, to avoid pain, is our failure.

For 50 years we Democrats created a better future for our children, using traditional democratic principles as a fixed beacon, giving us direction and purpose, but constantly innovating, adapting to new realities; Roosevelt's alphabet programs; Truman's NATO and the GI Bill of Rights; Kennedy's intelligent tax incentives and the Alliance For Progress; Johnson's civil rights; Carter's human rights and the nearly miraculous Camp David peace accord.

Democrats did it,—and Democrats can do it again.

We can build a future that deals with our deficit.

Remember, 50 years of progress never cost us what the last four years of stagnation have. We can deal with that deficit intelligently, by shared sacrifice, with all parts of the nation's family contributing, building partnerships with the private sector, providing a sound defense without depriving ourselves of what we need to feed our children and care for our people.

We can have a future that provides for all the young of the present by marrying common sense and compassion.

We know we can, because we did it for nearly 50 years before 1980.

WE CAN DO IT AGAIN

We can do it again. If we do not forget. Forget that this entire nation has profited by these progressive principles. That they helped lift up generations to the middle class and higher: gave us a chance to work, to go to college, to raise a family, to own a house, to be secure in our old age and, before that, to reach heights that our own parents would not have dared dream of.

That struggle to live with dignity is the real story of the shining city. It's a story I didn't read in a book, or learn in a classroom. I saw it, and lived it. Like many of you.

I watched a small man with thick calluses on both hands work 15 and 16 hours a day. I saw him once literally bleed from the bottoms of his feet, a man who came here uneducated, alone, unable to speak the language, who taught me all I needed to know about faith and hard work by the simple eloquence of his example. I learned about our kind of democracy from my father. I learned about our obligation to each other from him and from my mother. They asked only for a chance to work and to make the world better for their children and to be protected in those moments when they would not be able to protect themselves. This nation and its government did that for them.

And that they were able to build a family and live in dignity and see one of their children go from behind their little grocery store on the other side of the tracks in south Jamaica where he was born, to occupy the highest seat in the greatest state of the greatest nation in the only world we know, is an ineffably beautiful tribute to the democratic process.

And on Jan. 20, 1985, it will happen again. Only on a much grander scale. We will have a new President of the United States, a Democrat born not to the blood of kings but to the blood of immigrants and pioneers.

We will have America's first woman Vice President, the child of immigrants, a New Yorker, opening with one magnificent

stroke a whole new frontier for the United States.

It will happen, if we make it happen.

I ask you, ladies and gentlemen, brothers and sisters,—for the good of all of us, for the love of this great nation, for the family of America, for the love of God. Please make this nation remember how futures are built.●

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. BRITT] is recognized for 5 minutes.

● Mr. BRITT. Mr. Speaker, I missed the vote taken on a motion to suspend the rules and pass H.R. 4280, the Retirement Equity Act of 1984, on May 22, 1984. Had I been present, I would have voted "yea" as a strong supporter of this much-needed pension reform.●

GOURMET FOODS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DE LA GARZA] is recognized for 5 minutes.

● Mr. DE LA GARZA. Mr. Speaker, that flamboyant entrepreneur of cuisine, Mrs. Julia Child, once exclaimed "I'm a red meat eater! I feel I need red meat to keep my blood circulating, my color good, and my energy up."

Because red meat is rich in iron and protein, I agree with Mrs. Child and want to bring to the attention of my House colleagues the following article which appeared in the January 1984 edition of Reader's Digest.

The article helps lay to rest the dubious assertion that meat is not really necessary in a good diet—the myth put forward by some folks who prefer bean sprouts to T-bone steaks. Mr. Speaker, people can eat whatever they want and whatever they feel is right for them—but as the article states, Americans are getting a bum steer about beef from a nutritional and health aspect. I, for one, will not give up my mesquite charcoal grilled beef! Following is the complete text of this fine article:

In "A Tramp Abroad" Mark Twain wrote of a homesick American traveler in Europe: "Imagine an angel suddenly swooping down and setting before him a mighty porterhouse steak an inch-and-a-half thick, hot and sputtering from the griddle; dusted with fragrant pepper; enriched with melting bits of butter; the precious juices of the meat trickling out and joining the gravy."

Few of us require such a description to whet our appetites for "the most royal of meats." Beef has long been king on millions of our outdoor grills, its tantalizing sizzle over rosy charcoal sending an unforgettable scent into the summer air. And can anyone come up with a more "noble" sight than a standing rib carved at the table, its pink slices falling succulently upon the platter?

Not surprisingly, Americans consume 77.2 pounds of beef per capita each year—some

18 billion pounds in all.¹ Every day a single famous fast-food chain grills ten million hamburgers, America's favorite sandwich.

Despite this popularity, a number of respected nutritionists have placed beef on their hit list, claiming that Americans consume too much animal fat, which may be a cause of cancer and heart disease. Perhaps the best-known of these critics is Tufts University president Jean Mayer, member of numerous national and world committees on nutrition. He points out that many cuts of beef are high in fat—predominantly saturated fat. Mayer also notes that fat is high in calories and that both saturated fat and dietary cholesterol tend to raise the level of blood cholesterol. A number of prominent scientists agree.

But Rodney L. Preston, a nutrition professor at Texas Tech University, raises an important point. Because a high blood-cholesterol level is a risk factor in the development of coronary vascular disease, he says, some have concluded that foods containing cholesterol should be avoided. This conclusion ignores the fact that the normal human body needs cholesterol—about 1000 milligrams each day—and that the difference between the amount required and the amount consumed will be produced by the body itself. In any event, a three-ounce serving of beef contains just 75 mgs. of cholesterol. In fact, the average daily U.S. diet, including eggs, milk and meat, contains only 300 to 550 mgs. of cholesterol.

George M. Briggs, professor of nutrition at the University of California at Berkeley, former president of the American Institute of Nutrition and a member of the research team that discovered vitamin B-12, points out that three ounces of lean beef have no more cholesterol than three ounces of chicken. In a normal 2400-calorie diet for an adult male, he says, those three ounces of lean beef supply only 8 percent of calorie needs, but 45 percent of the recommended daily allowance of protein, 79 percent of vitamin B-12, 38 percent of zinc, 26 percent of iron, 19 percent of niacin.

What fueled the animal-fat controversy anyway? In 1977, concerned over the high level of heart and other killer diseases, the Senate Select Committee on Nutrition and Human Needs recommended that our daily caloric intake should comprise 12 percent protein, 30 percent fat (it was then about 40 percent) and 58 percent carbohydrates. The committee's report also warned that eating too many fats, especially saturated fats—from meats, egg yolks, butter and lard—could cause cancer, heart disease, high blood pressure and other serious illnesses. A 1980 government publication, in more general terms, encouraged moderate consumption of foods high in fat and cholesterol. In 1982, a 13-member scientific committee, sponsored by the National Academy of Sciences' National Research Council, released its own report, "Diet, Nutrition and Cancer." It suggested that Americans might reduce the risk of breast and colon cancers by lowering their daily intake of fat from 40 to 30 percent of the total calories in the diet.

But another group of scientists, reviewing the 1982 report for the Council for Agricultural Science and Technology, felt that there was not enough evidence to infer that the American diet was unsafe with respect

¹ For contrast Japan's per capita consumption of beef is only 8 pounds a year, while in Argentina, the per-capita figure is 146 pounds—almost double the U.S. consumption.

to cancer risks. They noted that "a nutritionally adequate diet must include as much fresh meat relative to other foods as Americans are consuming now."

One of those critical scientists, Dr. Joseph J. Vitale, professor of pathology and director of Nutrition Education Programs at Boston University School of Medicine, stated simply: "There is no evidence to suggest that lowering one's fat intake from 40 to 30 percent of the total calories will have any effect on cancer rates."

As for heart disease, Alfred Harper, former chairman of the National Academy of Sciences' Food and Nutrition Board, writing in the April 1983 issue of the American Journal of Clinical Nutrition, maintained that those people who are susceptible to coronary heart disease should be identified for comprehensive treatment instead of changing the diet of the general population. And after questioning more than a million Americans, the American Cancer Society stated, "A preliminary study of dietary factors showed no higher rates of coronary heart disease and stroke in people who ate a high-fat diet than in those who did not."

Actually, only 36 percent of the fat in the U.S. food supply comes from beef, pork, poultry and fish, while 42 percent comes from vegetable sources, such as oils, shortening and margarine. There is reason to believe that by substituting vegetable fats and oils for beef fat in our diets, we could be doing ourselves more harm than good. Recent research on animals suggests that high amounts of polyunsaturates may suppress the body's natural immune responses, possibly increasing the risk of cancer.

Dr. Richard J. Jones, secretary of the American Medical Association's Council on Scientific Affairs, commenting on vegetable oils in our diets, says, "They have been shown in some studies on experimental animals to be more potent promoters of known carcinogens than are animal fats."

Where modern lean beef itself is concerned, these nutritional facts alone should be heeded:

Fact: Beef is highly nutritious and digestible—more so even than vegetables. Beef's healthful ingredients are 96 percent digested, and its many nutrients almost completely used by the body.

Fact: Three ounces of lean beef contain less fat than is assumed—about nine grams. And only about 48 percent of the fat is saturated.

Fact: Red meat is a leading source of iron; one three-ounce serving of beef supplies 26 percent of the recommended daily allowance for an adult male. And this is "heme iron," a type that is three to five times more easily absorbed by the body. Heme iron also has a booster effect on iron in other foods eaten with the meat. (Much of the iron in spinach, for instance, is not available unless eaten in combination with another food.)

Fact: Three ounces of lean roast beef contain 169 calories; the same amount of lean chicken without skin has 174 (dark) and 147 (light); broiled salmon steak has 167.

How much beef should we eat? Nutritionists generally advise that a daily diet should include two three-ounce servings from the meat-poultry-fish-beans group, which includes beef, veal, lamb, pork, poultry, fish, shellfish, dry beans, eggs, seeds, nuts and peanut butter. Although you don't need to eat beef to get a full complement of protein, vitamins and minerals, red meat unquestionably offers important, high-quality nutrients in a relatively low-calorie package that is tasty and satisfying. Variety, of course, is

also important in diet, since each food in the four food groups—including also the fruit-vegetable, bread-cereal and milk-cheese groups—offers its own unique pattern of essential nutrients.

By showing us how to use this variety in a common-sense manner, Julia Child has become America's leading lady of food. Between takes of her new TV show "Dinner at Julia's" the star was asked what her favorite entrée was. "Beef!" she exclaimed. "I'm a red-meat eater. I feel I need red meat to keep my blood circulating, my color good and my energy up."

Most Americans would agree. ●

PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

● Mrs. SCHROEDER. Mr. Speaker, I was absent the evening of June 27. Had I been present, I would have voted as follows:

Rollcall, No. 249; "No."
Rollcall, No. 250; "Yes."
Rollcall, No. 251; "Yes."
Rollcall, No. 252; "No."
Rollcall, No. 253; "Yes."
Rollcall, No. 254; "Yes."
Rollcall, No. 255; "Yes." ●

THE MEGACORPORATE WORLD OF RONALD REAGAN

(Mr. WEISS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WEISS. Mr. Speaker, following are the remarks of Ralph Nader at the National Press Club, Washington, DC, on June 6, 1984:

THE MEGACORPORATE WORLD OF RONALD REAGAN

Many years ago when some of our Nation's political leaders were wise, Thomas Jefferson said that the purpose of representative government was to curb "the excesses of the monied interests." Many decades later, in 1936, Franklin D. Roosevelt, one of the last Presidents to hold corporations accountable for the state of the economy, promised that while "the malefactors of great wealth" had met their match in the previous four years, they would meet their master in the following four years.

Ronald Reagan thinks and acts to the contrary. During Mr. Reagan's first term, the malefactors of great wealth, now described as big business or multinational corporations, have regularly met their obedient servant in the White House. And the power of "the monied interests" has become ever more focused on turning representative government into a versatile accounts receivable for too many mismanaged, speculating, negligent, avaricious, unsafe or downright criminal companies. This Reagan-corporatist revolution, whereby business regulates government in pursuit of private profit at the expense of the legitimate interests of Americans as taxpayers, consumers and citizens, has little to do with being conservative. It has everything to do with building a government of the Exxons, by the General Motors and for the DuPonts.

So systematic, recurrent and widespread are these retrograde policies against basic, historic American values, as shall be noted shortly, that political commentators have wondered aloud how Mr. Reagan can still be so much in the running for re-election. The implication in their observations is proper: Presidents should be judged for what they do, not for what they say, or what they say they do. These commentators still expect a framework of accountability around the White House that includes the departments and agencies of the executive branch directed largely by Presidential appointees or schedule C personnel.

"The teflon President,"—one of those very apt descriptions by Democrats that ironically serves mainly to encourage their discouragement about November—has a strategy for irresponsible power that invites closer scrutiny.

Rule one is never get openly involved in the details. He who rises by details falls by details could be his motto. Stay abstract, preferably using heroic phrases of reassurance and national pride.

Rule two is amiability—especially in "aw shucks" demeanor with lots of even-toned voice, pendant smiles and head shrugs. Remember Reagan in China. When asked by American reporters what he thought of Peking censoring his remarks on Chinese television, he replied with a slight smile: "You fellows do it all the time." Imagine how Nixon would have been treated had he tried that one.

Rule three is to insulate the President from impromptu media exposure. Have your aides even joke about it, as Lyn Nofziger did on the campaign trail in 1980 when he told reporters "I've got Ronnie under house arrest from you guys."

Rule four is to induce condescension. If people think they are so much smarter than you, then they don't expect much and they forgive more.

Rule five is to create a banality of wrongdoing, of cruelty, of hypocrisy, of selling the country short. Banality avoids the constant search for novelty by media and helps opposing politicians throw up their hands in despair. Any president whose administration can incite the response of the jaded—"so what else is new"—is already almost out of the woods. Banality is nourished by frequency, a numbing frequency of abuses whose very quantity depreciate their provocative impact.

Rule six is to seize the semantics and make the symbols into one's own political ideology.

Rule seven is to be blessed by an opposition party that has largely surrendered the basic contention of politics—namely that of challenging the mal-distribution of power between the haves and have nots. The formula which used to win again and again for the Democrats—that they were the party of the people and the Republicans were the party of the rich—is no longer used in these times of massive campaign finance beggary and the giant corporate lock on an economy increasingly within their prerogative to transfer operations overseas or close down plant by plant. People see this overlap by the two parties in currying the favor of business interests. Deprived of distinct political choice, citizens begin to doubt the credibility of the out of office party when it claims it will be different. The candidates, who can convince that there will be a difference on concrete policy after concrete policy, will move people's minds.

The radical regime of Ronald Reagan does provide a background against which there indeed can be significant choices affecting the perceived needs and rights of citizens. Here are some of the directions pursued by the Reagan-big business axis:

1. The concentration of power within government and business has increased in both political and economic manifestations. The corporate merger movement, given the green light by Reagan, is moving from rabid to frenzied. Nine of the ten largest mergers in U.S. history have occurred under the permissive reign of Reagan. It is difficult to know what limits Reagan would put on mergers, most of which promise no greater efficiencies, no economies of scale, no market discipline of bad management (sans golden parachutes) and no new jobs. His former Justice Department antitrust chief, William Baxter said: "there is nothing written in the sky that says the world would not be a perfectly satisfactory place if there were only 100 companies, provided each had one percent of every product and service market." Nothing written in the sky, but there is much written in the anti-monopoly laws, their legislative history and judicial decisions that would give pause to such a concentrated political economy. Corporate bigness makes its demands on small business and the consumer in prices, in political manipulation and in being too big to fail without a bailout. And the loss of the family farm in the tens of thousands each year to agribusiness and banks receives no attention from this former rural Illinois native who extolls this way of life when he wants votes and then forgets after the election.

Over at the Federal Communications Commission, with Mr. Reagan's full support, his appointees want to eliminate the few viewer's rights under the fairness and equal time doctrines. They want to repeal 7-7 limitation (7 AM, 7 PM and 7 TV) stations which can be under a single owner and allow a vastly greater concentration of electronic media ownership.

There is greater concentration of power from many agencies to one—the office of management and budget—within the federal government. OMB makes political judgments, invites back door ex parte meetings with business lobbyists, excludes the public from its right to know and respond under the administrative procedures act, and generally translates unilateral White House dictates in violation of fair play, and by some expert opinion, in violation of administrative laws as well. The Reagan government also keeps Americans out of its decision-making processes by ending legal aid for poorer petitioners before regulatory agencies such as the Federal Trade Commission, by using every technical objection to deny citizens legal standing to challenge their government and by giving early preferential notice of proposals to their industrial and commercial friends. If there is any company on the fortune 100 list that objects to these anti-democratic powerplays, it has kept a very low visibility.

2. There is a wholesale repudiation of the historic role of American governments to protect or expand the public's health and safety. Health and safety laws go unenforced or underenforced below even laggard levels of the past. The food and drug administration's enforcement level is down, so are the enforcement actions against dirty meat and poultry plants and violators of motor vehicle regulations. The enforcement record at OSHA—the job safety agency—is a disgrace made worse by Reaganite reductions

in real inspections and redrawing of what constitutes sanctionable violations. Since taking office, Reagan has not issued a single new worker health standard to limit any chemical or gas, though dozens in January 1981 were nearly ready to be issued to reduce cancer, emphysema, and other diseases in the workplace that claim about 100,000 American lives a year. Only one motor vehicle standard has emerged—that dealing with rear mounted lights on automobiles, while several critical lifesavers were revoked or shunted aside. The list can go on and on to demonstrate that Mr. Reagan has very little interest in saving American lives when that objective inconveniences the wishes of his corporate masters.

With the stroke of Transportation Secretary Drew Lewis' pen, a lifesaving, crash protection standard was illegally repealed (according to a 9-0 decision by the U.S. Supreme Court) and thousands of Americans are now dying or being seriously injured every year in frontal collisions by their non-crashworthy cars. Mr. Reagan campaigned against this humane and economical engineering system right along with General Motors which pressed upon him this Macabre position. The same pattern recurs in one industry after another. What do the pesticide companies want? Just follow the Reagan trail of waivers and exceptions for dangerous pesticides, the absence of regulatory action against suspected farm chemicals, the virtual cessation of testing foods for pesticide residues and the reduction of research for non-toxic ways of controlling pests.

The sordid behavior of Reagan's environmental protection agency in bowing to corporate polluters on demand has been reported many times. But Mr. Reagan's responsibility needs to be made clearer. EPA chief, Ann Gorsuch, did the President's bidding. It was the Reagan White House that stopped the new EPA Chief, William Ruckelshaus, from doing anything to reduce the sources of acid rain. It is Mr. Reagan and the corporate polluters who oppose overdue implementation of stricter safety standards for America's drinking water—now so contaminated with heavy metals and cancer-causing chemicals. The corporate polluters want the air and water pollution laws severely weakened. Many polls conclude that the overwhelming majority of people want them strengthened. Ronald Reagan joins with his corporate patrons on these issues as well. Even in the field of toxic waste dumps, scarring and poisoning the America that he professes to revere, Mr. Reagan exerts no leadership. For the great communicator, there is no time for compassionate recognition of victims of corporate abuses, corporate cancer and other forms of industrial violence. It is as if there needed to be proof that the contamination of America's air and water were the products of an international Communist conspiracy before Mr. Reagan would leap into action. Alas, for those sick or dying under Reagan—the real king of the special interests, as a Washington Post headline put it—there is no such relief ahead.

But Mr. Reagan's insensitivity seems at times to go beyond taking orders from business. It reaches to uncharted realms of indifference and irresponsibility that congeal to form a type of intellectual incontinence. Some may call his hard line determination against law and order for corporations and his softness on corporate crime to be totally the result of an ideologically indented

mind perfectly attuned to his political creators—the multimillionaires of the southern California kitchen cabinet who, like a sure winner horse, selected, groomed, trained and financed him for Sacramento and finally for Washington. It is all that but more.

How else can anyone explain why Mr. Reagan would so mistreat the most vulnerable in our society when he could so easily defend their right to live in health, safety, and dignity? Infants and children surely cannot be expected "to vote with their feet," Mr. Reagan. Yet, in 1981, he pushed to drop requirements that gasoline refiners reduce the amount of lead in gasoline. Too many little children in this country already have the devastating symptoms of lead poisoning for more lead violence to be allowed in their bodies. What of asbestos in thousands of school buildings? Despite visible protests from concerned parents, Mr. Reagan and Mr. Stockman refused to ask Congress to appropriate any money to help seal or remove exposed asbestos surfaces spinning off deadly microscopic particles into those young lungs. This commander in chief, who has never met a weapons system he didn't like, wanted to abolish the Consumer Product Safety Commission—a tiny agency with a major mission of protecting children from household and other product hazards. With an annual budget less than two hours of Pentagon expenditures the CPSC did not fit within Mr. Reagan's definition of defense in depth. Fortunately Congress disagreed so just the budget was cut. There is more. After mothers of brain damaged infants lobbied through Congress a bill to have the food and drug administration establish quality control standards for commercial infant formula, Mr. Reagan's White House delayed the issuance of these regulations for eighteen months. Without press exposure, the delay may have been longer. Because of the lack of care and compassion so characteristic of this administration three million additional cans of deficient formula were sold to unsuspecting parents.

Two years ago, health officials at the Food and Drug Administration wanted to require aspirin makers to place a label on their product warning about Reye's Syndrome, a disease causing convulsions and sometimes death in some children who take aspirin when they have chicken pox or the flu. The White House's OMB intervened on behalf of aspirin manufacturers and blocked both the move and a half million copies of pamphlets cautioning parents which were to be distributed through supermarkets. Again there was wide publicity of this intra-government struggle but Mr. Reagan let the aspirin industry prevail.

It was said about Woodrow Wilson that he disliked individuals but loved humanity. The reverse seems to apply to Mr. Reagan with the qualification that individuals are those who are his friends or politically useful symbols during photo opportunities. He brought back, with calculated media exposure, two Korean children who needed operations. Would that he wield his great powers as President on behalf of America's infants and children instead of reducing special nutrition programs for pregnant women who are poor and their newly born.

He must know by now that consistently polls are showing sizable majorities of people dislike his policies though they think he is a nice fellow. As long as that anomaly continues, he has little incentive to sensitize himself by meeting with active victim groups such as the disabled, whom he could help. He has little incentive to ask his

speech writers for genuine declarations of his compassionate recognition of their plight and determination to alleviate pain and prevent further trauma and disease.

Recently a young pediatrician took a long unpaid leave of absence from his California practice to crusade for a reinstatement of the crash protection standard (commonly called the airbag rule). He has received some mass media coverage of his efforts. He held a well prepared vigil of physicians at Lafayette Park one Saturday afternoon and delivered a "visual letter" on video tape to the President. The White House, I subsequently learned, did not even bother to do the routine thing and forward it to the Secretary of Transportation. The doctor wondered why he and his fellow physicians could not see the President on a matter that public health specialists have called the single most effective domestic life saving decision that the Administration is in a position to make this year and perhaps for many years. I could have told the physician, recalling the list of past visitors to the President, that he did not qualify for a meeting since he had not won a boxing championship, performed a decisive slam-dunk or won an Emmy.

Mr. Reagan is consistent with his pitiless deregulatory generalities. Had Congress not stopped him, he would have abolished many crucial health and safety requirements imposed on the heavily tax-supported nursing home industry. Instead of firmer enforcement efforts and more adequate standards, he was content to leave defenseless the more than one million elderly in nursing homes.

3. So extreme is the President's corporatism that he is finding more genuine conservative groups taking sharp issue with his policies. In a little reported evolution that may change the future complexion of American politics, organizations who call themselves conservative populists are teaming up with their progressive counterparts to oppose corporate bailouts. Last year this coalition defeated the breeder reactor boondoggle—a high Reagan priority. In 1981 it nearly defeated the legislation regarding the Alaska gas pipeline that would coerce consumers into paying for the pipeline even if they did not receive any natural gas because the project was not completed. The synfuel industry's welfare project is under similar pressure, though its predicted mismanagement and awful economics appear to be self-dismantling. This new coalition put up a strong fight against the Reaganite bailout of the big U.S. banks that made such imprudent loans at skyhigh interest rates to foreign countries. Reagan, who spent years lecturing around the country for General Electric on the virtues of sink or swim free enterprise, has become the most prominent advocate of big business bailouts in American history. If this all goes against his philosophic grain, it demonstrates the contrary power of giant business over his government. His formerly strong belief in states rights is surrendered when companies want his backing for a weaker federal law replacing the adaptable common law in the fifty states that gives people injured by dangerous products rights to sue and recover compensation from manufacturers. It is surrendered when the banks demand that his agencies preempt stronger state regulations designed to protect depositors and borrowers. It is surrendered again when the nuclear industry wants him to strip state and local governments of their police power over the transportation of radioactive materials

throughout their communities. Corporatizing the ex-conservative Ronald Reagan is a routine matter these days, even when Wall Street's economic and tax policy demands result in placing main street, with its small businesses, at a comparative disadvantage.

The simplest of international decencies are rejected by the Reagan administration in obeisance to the multinationals. Mr. Carter's executive order, issued to restrain the export from this country of hazardous products illegal for domestic sale but not for export (e.g. certain drugs, pesticides) or to stop outright illegal exports, was revoked early in this Republican administration. And now with Mr. Reagan's knowledge and support, a clutch of global corporations, state and commerce department officials and this government's UN mission is working to stop the United Nations draft guidelines on consumer protection. These principles of consumer safety and economic rights, the freedom to form consumer associations and the like are drawn heavily from U.S. law and practice. They are just principles, having no force of authority but meant to have a moral impact on many countries and companies. Suggesting that the world has something to learn from U.S. consumer protection achievements over the past century is apparently too provocative for the corporate statist in the Reagan camp. They seem unmindful of the disasters that have occurred in Third World countries, not a few generated by western corporations taking advantage of the absence of indigenous consumer safeguards.

Such unmindfulness has become a habit. The Reagan government is the only member of the United Nations to vote against a UN resolution seeking to deter the kind of dumping of hazardous materials as occurred with the export of tris-treated (a carcinogen) children's pajamas from the U.S. All our allies voted the other way. The World Health Organization, with just one dissent, that of Ronald Reagan, approved a code for better marketing practices for infant formula promotion. This code was stimulated by the death of millions of Third World babies during the seventies linked to over-promotion of infant formula through scare techniques and other deceptions in conjunction with unsanitary village water sources. This tragedy has been reported in the context of the Nestle boycott that was recently settled with international children's defense groups.

5. Every President has a unique mission of trust imposed upon him by certain conservation laws, some of them enacted by Republican-dominated Congresses and Presidents early in this century. I refer to the Federal lands onshore and offshore with those glorious wildernesses and natural resources for present and future generations of Americans to enjoy and preserve. These lands comprise one-third of our Nation from the pristine wilds of Alaska to the Barren deserts of Arizona (a prime solar energy region someday). Does Mr. Reagan use his communications skills to graphically etch in the minds of more Americans the grandeur and permanence of his public trust? No, although he no longer talks about his support of the sagebrushers who want the States to have these lands on their way to private ownership and exploitation. Instead, he launched, through his agent James Watt, the biggest giveaway program to corporations in modern American history. The Reagan-Watt team wanted to lease billions of acres of offshore lands so fast that the oil company beneficiaries-to-be has to say

"Whoa, we can't absorb that rapid a transfer." So they settled for merely massive leaseholds on public lands whose oil and gas potential the Government could not independently verify. In a glutted market of declining prices, Reagan-Watt proposed to lease as much coal in fifteen months as eleven administrations have done in the 63 years since the Government began to lease its coal-bearing lands. These men knew that the coal and oil companies were sitting on existing Federal coal leases without producing any coal. What these companies want is not to produce but to control huge reserves of the people's resources at giveaway prices obtained in a depressed market. Reagan was all too eager to deliver, until organized civic opposition retired Watt and cooled off an election-sensitive President.

One would at the very least expect Mr. Reagan to want to give taxpayers (that majority of the taxpayers who will pay more in total taxes in 1984 than in 1980) value for what they paid Government contractors to develop. Not at all. By presidential directive, agencies are urged to turn over to companies exclusive patent rights to Government-financed discoveries to the fullest extent permissible. This is one of many areas of corporate privilege to which the Reaganites neglect to apply their cost-benefit formula. But then how can a formula so often rigged to cater to corporations be applied against them?

6. The curtain around Reagan's corporate state is one of intense secrecy whose function of excluding the public's participation and monitoring is nourished by a rising base of zero data. This is an administration that does not want to know what corporations do; it has stopped collecting much data about the large oil companies. It has stopped collecting data about line of business reporting by conglomerates. Referring to across-the-board cuts in Federal statistical gathering services, university of Chicago Dean William Kruskal wrote: "When a vessel is in stormy seas, it is foolhardy to cut corners on radar, navigational equipment, good maps, and ample, well-trained crews." Coupled with not wanting to know, the Government has defined as trade secrets whatever information supplied the Government that companies want withheld from the public. The price of Government reports and pamphlets has skyrocketed to levels reachable only by the affluent or desperate. Look at the Government Printing Office's price list and you will see pamphlets of only a few pages selling for over \$2 each. Price hikes have driven the number of publications requested from the Government's consumer information center in fiscal 1984 to half of what they were in fiscal 1982. Many publications, such as the popular car book have been discontinued. Citizens wanting to be placed on mailing lists of the FCC or the ICC for agency press releases are referred to private contractors who will sell you this service. The principle of the broadest possible distribution of information about what the Government is doing and deciding has been destroyed. The pretext is that the user should pay and as printing volume declines the prices go up in a vicious circle of exclusion. The Government pays almost \$100 million a year for marching bands. (twice as much as the cost of administering the Freedom of Information Act) and there are no viewer fees charged there.

To top off Reagan's darkness at noon, the basic research and development which elevates awareness of hazards to be averted and opportunities to be developed have been

severely weakened due to industry demands. Thus, the experimental safety vehicle program and the fuel economy research program have been closed down. Sharply reduced are research undertakings in energy conservation, cancer prevention, drug safety, toxic chemicals and consumer product safety. Such inquiries could lead to stronger future safety standards—a prospect companies usually like to cut off at the pass. What is so deplorable about Mr. Reagan is that his supine relations with business brings out the worst in corporate behavior. Executives see that they do not have to do safety research or be concerned about compliance with laws that are not about to be enforced. General Motors' chairman, Roger Smith, disbanded the company's crack air bag technology development section unit in April 1981 after learning that Transportation Secretary Drew Lewis was going to scrap the automatic crash protection regulation. Companies that stretch to advance the cause of safety, as have State Farm and Allstate, receive no plaudits, no medals, no encouragement from the man in the White House. If anything, these firms think they may be inviting resentment for their efforts.

All in all, the Reagan Government is the consummate promoter of the rich and powerful when the latter are arrayed against the interests of the rest of America. We must not forget that it is not just Reagan who occupies that eminent political office. It is the network of collegial business interests who have learned so well that the essence of privilege in America's marketplace today requires control over the Government's powers and its public wealth. Subsidies, monopolistic licenses, protectionism, selective enforcement, lucrative contracts, loan guarantees, bailouts, and the free results of expensive research and development are among the dispensations of modern uncle sugar in Washington, D.C. Together these goodies make a bustling bazaar of corporate welfare and largess that requires nurturing and enlargement. Toward this objective it helps to have your own business agent in the White House. It helps to have someone who does not raise the expectation levels among Americans.

Americans have every right to expect some solutions to their everyday afflictions, some value for their everyday tax dollars and some voice for their everyday concerns. Some remedies for their everyday injustices, and some civic mechanism for building their futures.

Citizenship—its empowerment and widespread exercise is a prerequisite for a sound, democratic society. Leadership that empowers more people, that reduces the severe concentration of power and information, and that lifts a nation into missions of accomplishment which will increase justice, happiness and opportunity—that is the leadership for citizens, involving themselves in a national political campaign, to demand. And so too should the media rise to its higher responsibilities in reporting the White House and not mimeographing its rhetoric.

Our history has demonstrated that the well-being of society springs from the growth of daily, active citizenship that provides an enabling environment for good leaders to come forth. Put in today's terms, citizens in our country need to spend more time being citizens. That is the real bottom line.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at the request of Mr. MARTIN of New York) to revise and extend his remarks and include extraneous material:)

Mr. WALKER, for 60 minutes, today.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. WIRTH, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Mr. STRATTON, for 5 minutes, today.

Mr. BRITT, for 5 minutes, today.

Mr. DE LA GARZA, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. WEISS, and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$1,455.

(The following Members (at the request of Mr. MARTIN of New York) and to include extraneous matter:)

Mr. MCKERNAN.

Mr. PHILIP M. CRANE.

Mr. WORTLEY in two instances.

Mr. HAMMERSCHMIDT.

Mr. PORTER.

Mr. MICHEL in two instances.

Ms. SNOWE.

Mr. GEKAS.

Mr. RUDD.

Mr. GILMAN.

Mr. HYDE.

Mr. MILLER of Ohio in two instances.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. MAZZOLI.

Mr. LEHMAN of Florida.

Mr. BREAUX.

Mr. ANNUNZIO.

Mr. LANTOS in four instances.

Mr. DE LA GARZA in 10 instances.

Mr. HAMILTON in three instances.

Mr. MOODY.

Mr. DINGELL in two instances.

Mr. YATRON.

Mr. OBEY.

Mr. OTTINGER.

Mr. EVANS of Illinois.

Mr. WON PAT.

Mr. SAM B. HALL, JR.

Mr. RAHALL.

Mrs. SCHROEDER.

Mrs. COLLINS.

Mr. FLORIO.

Mr. DYSON.
Mr. OBERSTAR.
Mr. WEISS.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 11 minutes p.m.) the House adjourned until tomorrow, Wednesday, July 25, 1984, at 10 a.m.)

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3781. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 5-175, "Parentage and Support Proceedings Reform Act of 1984", and Report, pursuant to Public Law 93-198, section 602(c), to the Committee on the District of Columbia.

3782. A letter from the Secretary of Education, transmitting final regulations for the Regional Education Laboratories and Research and Development Centers Program scheduled for publication in the Federal Register, pursuant to GEPA, section 431(d)(1) (88 Stat. 567; 90 Stat. 2231; 95 Stat. 453); to the Committee on Education and Labor.

3783. A letter from the Secretary of Transportation, transmitting a copy of a proposed Federal motor vehicle safety standard for occupant crash protection, pursuant to Public Law 89-563, section 125(c) (88 Stat. 1482); to the Committee on Energy and Commerce.

3784. A letter from the Acting Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting notification of a proposed license for the export of major defense equipment sold commercially under a contract in the amount of \$14,000,000 or more (Transmittal No. MC-24-84), pursuant to AECA, section 36(c) (90 Stat. 743; 94 Stat. 3136; 95 Stat. 1520); to the Committee on Foreign Affairs.

3785. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a copy of the original report of political contributions for Leon Jerome Weil, Ambassador-designate to the Kingdom of Nepal, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

3786. A letter from the Secretary of the Interior, transmitting a notification of leasing systems for the Diapir Field, sale 87, scheduled to be held in August, 1984, pursuant to the Act of August 7, 1953, chapter 345, section 8(a)(8) (92 Stat. 640); to the Committee on Interior and Insular Affairs.

3787. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to provide for the emergency appointment of bankruptcy judges; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HUGHES: Committee on the Judiciary. H.R. 5616. A bill to amend chapter 47 of title 18 of the United States Code to provide penalties for fraud and related activities in connection with access devices and computers, and for other purposes; with an amendment (Rept. No. 98-894). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 5818. A bill to amend the Federal Hazardous Substances Act to apply the notice and repair, replacement, and refund provisions of that act to defective toys and other articles intended for use by children. (Rept. No. 98-895). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALBOSTA: Committee on Post Office and Civil Service. H.R. 5917. A bill to amend the Ethics in Government Act of 1978 to provide for programs designed to inform Federal employees of applicable standards of conduct, to improve the administration of ethics programs in the Federal Government, and for other purposes (Rept. No. 98-896, Pt. 1). Ordered to be printed.

Mr. WHEAT: Committee on Rules. House Resolution 550. Resolution providing for the consideration of H.R. 11, a bill to extend through fiscal year 1989 the authorization of appropriations for certain education programs, and for other purposes. (Rept. No. 98-897). Referred to the House Calendar.

Mr. BEILENSEN: Committee on Rules. House Resolution 551. Resolution waiving certain points of order against H.R. 5973, a bill making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 1985, and for other purposes. (Rept. No. 98-898). Referred to the House Calendar.

Mr. MOAKLEY: Committee on Rules. House Resolution 552. Resolution providing for the consideration of H.R. 3953, a bill to amend the Panama Canal Act of 1979 in order that outside-the-locks claims for vessels damaged may be resolved in the same manner as those damaged inside the locks, and for other purposes. (Rept. No. 98-899). Referred to the House Calendar.

Mr. MOAKLEY: Committee on Rules. House Resolution 553. Resolution providing for the consideration of H.R. 5220, a bill to protect the national defense shipyards of the United States, and for other purposes. (Rept. No. 98-900). Referred to the House Calendar.

Mr. CONYERS: Committee on the Judiciary. H.R. 5872. A bill to amend title 18 of the United States Code with respect to certain bribery and related offenses; with amendments (Rept. No. 98-901). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 5526. A bill to amend title 18 of the United States Code with respect to escape from custody resulting from civil commitment; with an amendment (Rept. No. 98-902). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 5946. A bill to reform the Residential Conservation Service and to repeal the Commercial and Apartment Con-

servation Service; with an amendment (Rept. No. 98-903). Referred to the Committee of the Whole House on the State of the Union.

SUBSEQUENT ACTION ON A BILL INITIALLY REFERRED UNDER TIME LIMITATION

Under clause 5 of rule X, the following action was taken by the Speaker:

Consideration of H.R. 5640 by the Committee on Public Works and Transportation extended for an additional period ending not later than July 27, 1984.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DYMALLY (for himself and Mr. BLILEY):

H.R. 6007. A bill to establish certain procedures regarding the judicial service of retired judges of District of Columbia courts, and for other purposes; to the Committee on the District of Columbia.

By Mr. DELLUMS (for himself, Mr. FAUNTROY, Mr. GRAY, and Mr. SEIBERLING) (by request):

H.R. 6008. A bill to increase the rate of compensation of citizen members of the National Capital Planning Commission from \$100 per day to the daily equivalent of the rate established for positions at level V of the Executive Schedule; to the Committee on the District of Columbia.

By Mr. APPELEGATE (by request):

H.R. 6009. A bill to amend title 38, United States Code, to improve veterans' benefits for former prisoners of wars; to the Committee on Veterans' Affairs.

By Mr. ARCHER:

H.R. 6010. A bill to amend title 5, United States Code, to establish a limit on the retirement pay and annuities for retired Federal civilian and military personnel which is based on the rate of pay payable for those in active service; jointly, to the Committees on Armed Services and Post Office and Civil Service.

H.R. 6011. A bill to establish a commission to review Federal retirement systems; jointly, to the Committees on Armed Services and Post Office and Civil Service.

By Mr. CONYERS:

H.R. 6012. A bill to amend title 18, United States Code, with respect to sentencing, and for other purposes; to the Committee on the Judiciary.

By Mr. MITCHELL:

H.R. 6013. A bill to amend the Small Business Act; to the Committee on Small Business.

By Mr. MURPHY (for himself, Mr. SIMON, Mr. WILLIAMS of Montana, and Mr. BIAGGI):

H.R. 6014. A bill to amend the Education of the Handicapped Act to authorize the award of reasonable attorneys' fees to certain prevailing parties, and to clarify the effect of the Education of the Handicapped Act of rights, procedures, and remedies under other laws relating to the prohibition of discrimination; to the Committee on Education and Labor.

By Mr. OTTINGER:

H.R. 6015. A bill to abolish the National Advisory Committee on Oceans and Atmos-

phere; to the Committee on Merchant Marine and Fisheries.

By Mr. PAUL:

H.R. 6016. A bill to amend the National Flood Insurance Act of 1968 to permit participating communities to exempt certain property from land use and control measures, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. DASCHLE:

H.R. 6017. A bill to allow the city of Aberdeen, SD, to retain easements in certain lands after the abandonment of certain railroad rights-of-way by the Chicago & Northwestern Transportation Co.; to the Committee on Interior and Insular Affairs.

By Mr. MAZZOLI:

H.J. Res. 627. Joint resolution designating the week of October 7-13, 1984, as "National Cheeseburger Week"; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H. Res. 554. Resolution providing for the consideration of the Senate amendment to H.R. 1310; considered and postponed until July 25, 1984.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

438. By the SPEAKER: Memorial of the House of Representatives of the State of Louisiana, relative to the concept of "High Frontier" technology; to the Committee on Armed Services.

439. Also, memorial of the legislature of the State of California, relative to persons with disabilities; to the Committee on Education and Labor.

440. Also, memorial of the legislature of the State of California relative to POW/MIA Recognition Day; to the Committee on Foreign Affairs.

441. Also, memorial of the legislature of the State of Louisiana, relative to the participation of the Soviet Union in the 1984 Olympic games; to the Committee on Foreign Affairs.

442. Also, memorial of the legislature of the State of California, relative to designating the Los Angeles Memorial Coliseum a national historic landmark; to the Committee on Interior and Insular Affairs.

443. Also, memorial of the senate of the State of Michigan, relative to creating additional wilderness areas in Michigan's upper peninsula; to the Committee on Interior and Insular Affairs.

444. Also, memorial of the legislature of the State of California, relative to hazardous waste incineration; to the Committee on Merchant Marine and Fisheries.

445. Also, memorial of the legislature of the State of Louisiana, relative to the construction of an interstate highway between Denver, CO, Oklahoma City, OK, and New Orleans, LA; to the Committee on Public Works and Transportation.

446. Also, memorial of the legislature of the State of California, relative to the Cal-Vet farm and home loan program; to the Committee on Ways and Means.

447. Also, memorial of the legislature of the State of California, relative to Social Security; to the Committee on Ways and Means.

448. Also, memorial of the legislature of the State of California, relative to the tuna industry; to the Committee on Ways and Means.

449. Also, memorial of the legislature of the State of Louisiana, relative to innovative welfare reform programs; to the Committee on Ways and Means.

450. Also, memorial of the legislature of the State of Texas, relative to the Federal regulation of State and local pension systems; jointly, to the Committee on Education and Labor and Ways of Means.

451. Also, memorial of the legislature of the State of Texas, relative to the Public Employee Retirement Income Security Act; jointly, to the Committee on Education and Labor and Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. LIVINGSTON introduced a bill (H.R. 6018) for the relief of Ernst B. Coumou; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 881: Mr. JENKINS.
H.R. 1200: Mr. HOWARD.
H.R. 1676: Mr. BONER of Tennessee, Mr. FLIPPO, Mr. FASCELL, Mr. JACOBS, Mrs. JOHNSON, Mr. ROBINSON and Mr. WYLIE.
H.R. 1800: Mr. BENNETT, Mr. BEDELL, Mr. BILIRAKIS, Mr. BOSCO, Mr. DARDEN, Mr. GREGG, Mr. HORTON, Mr. JONES of Oklahoma, Mr. WALKER, Mr. MCCAIN, Mr. McCLOSKEY, Mr. MICA, Mr. McKERNAN, Mr. MOLINARI, Mr. NICHOLS, Mr. ROWLAND, Mr. RICHARDSON, and Ms. SNOWE.
H.R. 1815: Mr. AKAKA.
H.R. 1937: Mr. HARTNETT.
H.R. 1952: Mr. BEREUTER, Mr. DYMALLY, and Mr. TORRICELLI.
H.R. 2053: Mr. BOUCHER and Mr. PATTERSON.
H.R. 2116: Mr. LaFALCE, Mr. WEISS, Mr. COURTER, Mrs. KENNELLY, Mr. ORTIZ, Mr. MOODY, Mr. WAXMAN, and Mr. WOLFE.
H.R. 2276: Mr. OWENS.
H.R. 2902: Mr. MONTGOMERY and Mr. TAUKE.
H.R. 2996: Mr. MARTINEZ, Mr. MICA, Mr. CAMPBELL, Mr. VOLKMER, Mr. RINALDO, Mr. McHUGH, Mr. NELSON, and Mr. JONES of North Carolina.
H.R. 3277: Mr. RANGEL.
H.R. 3361: Mr. JENKINS.
H.R. 3502: Mr. LEWIS of Florida, Mr. MICA, Mr. PENNY, Mr. MORRISON of Washington, and Mr. LAGOMARSINO.
H.R. 3750: Mr. VOLKMER and Mr. OTTINGER.
H.R. 4039: Mr. PATMAN.
H.R. 4078: Mr. OWENS.
H.R. 4272: Mr. ADDABBO, Mr. MRAZEK, and Mr. HUTTO.
H.R. 4273: Mr. ADDABBO, Mr. MRAZEK, Mr. KOSTMAYER, and Mr. HUTTO.
H.R. 4274: Mr. ADDABBO, Mr. MRAZEK, Mr. KOSTMAYER, and Mr. HUTTO.
H.R. 4356: Mr. COUGHLIN.
H.R. 4402: Mr. JEFFORDS.
H.R. 4440: Mr. GUARINI, Mr. HAYES, Mrs. KENNELLY, Mr. RATCHFORD, and Mr. WHEAT.
H.R. 4447: Mr. CONTE.
H.R. 4459: Mr. KLECZKA.
H.R. 4549: Mr. DARDEN.
H.R. 4571: Mr. BEILSON, Mr. CHANDLER, Mr. CONYERS, Mr. LENT, and Mr. McHUGH.
H.R. 4617: Mr. VENTO.
H.R. 4629: Mr. IRELAND.

H.R. 4760: Mr. FOGLIETTA.
H.R. 4877: Mr. GRAMM.
H.R. 4901: Mr. TORRICELLI.
H.R. 4966: Mr. DICKINSON, Mr. KASICH, and Mr. MURTHA.
H.R. 5015: Mr. BORSKI, Mr. DREIER of California, and Mr. BRITT.
H.R. 5176: Mr. MITCHELL, Mr. ROBERTS, Mr. MRAZEK, Mr. JONES of North Carolina, Mr. WILLIAMS of Montana, Mr. NEAL, Mr. CONYERS, Mr. SPRATT, Mr. WHITTAKER, Mr. WHITLEY, Mr. STANGELAND, Mr. DERRICK, Mr. WILSON, Mr. FORD of Tennessee, Mr. BRITT, and Mr. BOUCHER.
H.R. 5232: Mr. COOPER, Mr. CROCKETT, Mr. DASCHLE, Mrs. SCHROEDER, Mr. ADDABBO, Mr. MACKEY, Mr. YOUNG of Alaska, Mr. ORTIZ, and Mr. RICHARDSON.
H.R. 5305: Mr. KOSTMAYER and Mr. DORGAN.
H.R. 5310: Mr. EMERSON, Mr. JACOBS, Mr. DANNEMEYER, Mr. PACKARD, Mr. MOORHEAD, Mrs. HALL of Indiana, Mr. PATMAN, Mr. CRAIG, and Mr. SWIFT.
H.R. 5381: Mr. McNULTY, Mr. DIXON, Mr. LANTOS, Mr. McHUGH, Mr. LUNDINE, and Mr. LEHMAN of Florida.
H.R. 5386: Mr. BIAGGI, Mr. MINETA, Mr. STRATTON, Mr. SEIBERLING, Mr. MAVROULES, Mr. FRANK, and Mr. BILIRAKIS.
H.R. 5411: Mr. BATES, Mr. LAGOMARSINO, Mr. FRANK, Mrs. BOXER, Mr. VANDERGRIF, Mr. WEISS, Mr. FOGLIETTA, Mr. WON PAT, Mr. ROE, Mr. HAYES, Mr. ORTIZ, and Mr. RICHARDSON.
H.R. 5479: Mr. DURBIN.
H.R. 5529: Mr. COLEMAN of Missouri and Mr. FRANKLIN.
H.R. 5569: Mr. ADDABBO, Mrs. BURTON of California, Mr. BRYANT, Mr. CORRADA, Mr. FAZIO, Mr. HARRISON, Mr. LOWERY of California, Mr. PATTERSON, Mr. PORTER, Mr. ROWLAND, and Mr. SWIFT.
H.R. 5616: Mr. TORRICELLI.
H.R. 5621: Mr. WIRTH.
H.R. 5638: Mr. ROBINSON, Mr. MONTGOMERY, and Mr. DEWINE.
H.R. 5640: Mr. MACKEY, Mr. RANGEL, and Mr. MRAZEK.
H.R. 5647: Mr. HORTON, Ms. OAKAR, and Mr. CONYERS.
H.R. 5648: Mr. ZSCHAU.
H.R. 5656: Mr. TORRICELLI.
H.R. 5664: Mr. FRANK.
H.R. 5675: Mr. KLECZKA, Mr. SPRATT, Mr. WALGREN, and Mr. WEAVER.
H.R. 5737: Mr. ALBOSTA.
H.R. 5754: Mr. BENNETT.
H.R. 5791: Mr. WHITTEN, Mr. OLIN, and Mr. TAYLOR.
H.R. 5838: Mr. MARTINEZ.
H.R. 5845: Mr. ANDREWS of Texas, Mr. AU COIN, Mr. BARTLETT, Mr. CLINGER, Mr. CONYERS, Mr. DAVIS, Mr. DERRICK, Mr. GREGG, Mr. HANSEN of Utah, Mr. HILER, Mrs. HOLT, Mr. MACKEY, Mr. McKERNAN, Mr. MICA, Mr. ORTIZ, Mr. PATTERSON, Mrs. ROUKEMA, Mr. ROBERT F. SMITH, Mr. SKELTON, Mr. WILLIAMS of Montana, Mr. WINN, Mr. YOUNG of Florida, and Mr. ZSCHAU.
H.R. 5920: Mr. STANGELAND, Mr. OWENS, Mr. SIMON, Mr. SOLARZ, Mr. DARDEN, Mrs. BOXER, Mr. McHUGH, Mr. MARTINEZ, and Mr. FISH.
H.R. 5937: Mr. SIMON, Mr. WYDEN, Mr. LEVINE of California, Mr. HORTON, Mr. HUGHES, Mr. BATES, and Mr. WILLIAMS of Montana.
H.R. 5940: Mr. FRANK, Mr. FUQUA, Mr. HYDE, Mr. KINDNESS, Mr. HORTON, Mr. DEWINE, Mr. YATRON, Mr. PORTER, Mr. FISH, Mr. LEWIS of Florida, and Mr. FRENZEL.
H.R. 5946: Mr. OTTINGER and Mr. DINGELL.
H.J. Res. 319: Mr. PATTERSON.

H.J. Res. 469: Mr. ALBOSTA, Mr. BATES, Mr. BEREUTER, Mr. FRANKLIN, Mr. HAMILTON, Mr. KILDEE, Mr. LAGOMARSINO, Mr. NATCHER, Mr. OWENS, Mr. PERKINS, Mr. PRITCHARD, Mr. ST GERMAIN, Mr. SCHAEFER, Mr. SHELBY, Mr. DENNY SMITH, Ms. SNOWE, Mr. SNYDER, Mr. SWIFT, Mr. VOLKMER, Mr. WYDEN, and Mr. YOUNG of Florida.

H.J. Res. 489: Mr. GAYDOS, Mr. HANSEN of Utah, Mr. STAGGERS, Mr. DARDEN, Mr. McHUGH, Mr. VOLKMER, and Mr. LIVINGSTON.

H.J. Res. 491: Mr. FOLEY, Mr. JENKINS, Mr. MATSUI, Mr. PACKARD, and Mr. RUDD.

H.J. Res. 499: Mr. KOSTMAYER, Mr. LUNGREN, Mr. YATES, Mr. HUTTO, Mrs. BYRON, Mr. DARDEN, Mr. HAMMERSCHMIDT, Mr. ST GERMAIN, Mr. LEWIS of California, Mr. HEFNER, Mr. CORCORAN, Mr. WEBER, Mr. FLIPPO, Mrs. SCHNEIDER, Mr. GREGG, Mr. SYNAR, Mr. MARTIN of New York, Mr. NELSON of Florida, Mr. STUMP, Mr. STRATTON, Mr. MONTGOMERY, Mr. DONNELLY, Mr. JONES of North Carolina, and Mr. DANNEMEYER.

H.J. Res. 505: Mr. MRAZEK, Mr. RITTER, Mr. ROSE, Mr. WILSON, and Mr. YATRON.

H.J. Res. 522: Mr. EMERSON and Mr. HUNTER.

H.J. Res. 525: Mr. GREGG, Mr. DAUB, Mr. CONYERS, and Mr. MAVROULES.

H.J. Res. 529: Mr. BETHUNE, Mr. EMERSON, Mr. OLIN, and Mr. MOORE.

H.J. Res. 545: Mr. HUCKABY, Mr. WRIGHT, Mr. SUNIA, Mr. LEVIN of Michigan, Mr. KOLTER, Mr. DE LA GARZA, Mr. NEAL, Mr. McEWEN, Mr. KASICH, Mr. ROEMER, Mr. LEVITAS, Mr. MARKEY, Mr. MURTHA, Mr. CONTE, Mr. EDWARDS of Oklahoma, Mr. QUILLLEN, Mr. MORRISON of Connecticut, Mr. KOSTMAYER, Mr. MATSUI, Mr. HAMMERSCHMIDT, Mr. SABO, Mr. GEKAS, Mr. TAUKE, Mr. MOLLOHAN, Mr. MOORE, Mr. TORRICELLI, Mr. REGULA, Mr. PACKARD, Mr. FROST, Mr. MARTIN of North Carolina, Mr. ALEXANDER, Mr. ANDERSON, Mr. BADHAM, and Mr. HILER.

H.J. Res. 546: Mr. BENNETT, Mr. BOLAND, Mr. RALPH M. HALL, Mr. HEFNER, Mr. KAPTUR, Mr. KAZEN, Mr. KOGOVSEK, Mr. RODINO, Mr. ROGERS, Mr. SWIFT, Mr. SYNAR, Mr. TALON, Mr. TORRICELLI, Mr. WATKINS, Mr. HOYER, Mr. WILLIAMS of Ohio, Mr. APLEGATE, Mr. COOPER, Mr. ANDREWS of Texas, Mr. WINN, Mr. FLIPPO, Mr. FOLEY, Mr. UDALL, Mr. PRICE, Mr. SCHEUER, Mr. FISH, Mr. EMERSON, Mr. PANETTA, Mr. BARNES, Mr. VOLKMER, Mr. HARRISON, Mr. HAWKINS, Mr. MAVROULES, Mr. MOLINARI, Mr. LOWRY of Washington, Mr. MOAKLEY, Mr. GRAMM, Mr. LUNDINE, Mr. HERTEL of Michigan, Mr. HAMMERSCHMIDT, Mr. JONES of North Carolina, Mr. KOLTER, Mr. TAUKE, Mr. HALL of Ohio, Mr. DWYER of New Jersey, Mr. SMITH of Iowa, Mr. HOWARD, Mrs. JOHNSON, Mr. MURTHA, Mr. OLIN, Mr. MADIGAN, Mr. MINETA, Mr. BILIRAKIS, Mr. GORE, Mr. SAM B. HALL, Jr., Mr. FOWLER, Mr. EDWARDS of Alabama, Mr. HIGHTOWER, Mr. MCCAIN, Mr. MORRISON of Washington, Mr. STARK, Mr. STOKES, Mr. WHITTAKER, Mr. KOSTMAYER, Mr. LEVINE of California, Mr. PERKINS, Mr. DOWNEY of New York, Mr. GEJDENSON, Mr. EVANS of Iowa, Mr. McCLOSKEY, Mr. JACOBS, Mr. KEMP, Mr. STRATTON, and Mr. BROWN of California.

H.J. Res. 547: Mr. RODINO, Mr. BROWN of California, Mr. ROE, and Mr. DWYER of New Jersey.

H.J. Res. 560: Mr. CONTE, Mr. MRAZEK, Mr. ERDREICH, and Mr. PAUL.

H.J. Res. 578: Mr. ANDREWS of Texas, Mr. BADHAM, Mr. BARNARD, Mr. BARNES, Mr. BATES, Mr. BERMAN, Mr. BEVILL, Mr. COELHO, Mrs. COLLINS, Mr. CONYERS, Mr. CORRADA,

Mr. COUGHLIN, Mr. CROCKETT, Mr. DAUB, Mr. DE LA GARZA, Mr. DELLUMS, Mr. DEWINE, Mr. DIXON, Mr. DWYER of New Jersey, Mr. EARLY, Mr. EDGAR, Mr. EDWARDS of Alabama, Mr. EMERSON, Mr. FAUNTROY, Mr. FAZIO, Mr. FISH, Mr. FLORIO, Mr. FORD of Michigan, Mr. FRANK, Mr. GREEN, Mr. GUARINI, Mr. HEFTTEL of Hawaii, Mr. HERTEL of Michigan, Mr. HORTON, Mr. HOWARD, Mr. HUGHES, Mr. HYDE, Mr. JACOBS, Ms. KAPTUR, Mr. KASICH, Mr. KOLTER, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LANTOS, Mr. LELAND, Mr. LEVIN of Michigan, Mr. LEWIS of California, Mr. LEWIS of Florida, Mr. LOWERY of California, Mr. McGRATH, Mr. MADIGAN, Mr. MARTIN of New York, Mr. MARTINEZ, Mr. MINETA, Mr. MINISH, Mr. MOAKLEY, Mr. NEAL, Mr. O'BRIEN, Mr. PERKINS, Mr. RANGEL, Mr. RATCHFORD, Mr. RICHARDSON, Mr. RINALDO, Mr. ROBERTS, Mr. ROBINSON, Mr. ROE, Mr. ROGERS, Mr. ROWLAND, Mr. SAWYER, Mr. SCHAEFER, Mr. SHELBY, Mr. SISISKY, Mr. SMITH of Florida, Mr. SOLARZ, Mr. STOKES, Mr. SUNIA, Mr. TORRICELLI, Mr. VANDER JAGT, Mr. WHITTAKER, Mr. WINN, Mr. WOLF, Mr. WON PAT, Mr. WORTLEY, Mr. ANDERSON, Mr. APFLEGATE, Mr. BEDELL, Mr. BOEHLERT, Mr. BOLAND, Mrs. BOXER, Mr. CORCORAN, Mr. DANIEL, Mr. DONNELLY, Mr. DOWDY of Mississippi, Mr. HAMMERSCHMIDT, Mr. HARRISON, Mr. HATCHER, Mr. HIGHTOWER, Mr. HOYER, Mr. HUTTO, Mr. JONES of North Carolina, Mr. KEMP, and Mr. KOGOVSEK.

H.J. Res. 580: Mr. BRITT, Mr. FEIGHAN, Mr. FRENZEL, Mr. RATCHFORD, Mr. STOKES, Mr. HORTON, Mr. STENHOLM, Mr. LEVIN of Michigan, and Mr. ANDREWS of Texas.

H.J. Res. 587: Mr. VANDERGRIF, Mr. WEBER, Mr. HEFNER, Mr. MARKEY, Mr. HUGHES, Mr. YOUNG of Alaska, Mr. LENT, Mr. ANDERSON, Mr. DONNELLY, Mr. MOAKLEY, Mr. NELSON of Florida, Mr. ROBINSON, Mr. KEMP, Mr. FISH, Mr. CORCORAN, Mr. SIMON, Mr. TALLON, Mr. JONES of North Carolina, Mrs. HOLT, Mr. HARTNETT, Mr. DANIEL, Mr. BERMAN, Mr. CHAPPELL, Mr. BONER of Tennessee, Mr. NEAL, Mr. BEVILL, Mr. BARNARD, Mr. WALGREN, Mr. MARTIN of New York, Mr. WIRTH, Mr. LAFALCE, Mr. BATEMAN, Mr. RICHARDSON, and Mr. HUTTO.

H.J. Res. 591: Mr. GORE, Mr. HORTON, Mr. NELSON of Florida, Mr. FRANKLIN, Mr. FISH, Mr. REGULA, Mr. HATCHER, Mr. KILDEE, Mr. THOMAS of Georgia, Mr. CORCORAN, Mr. DOWDY of Mississippi, Mr. ROWLAND, Mr. VOLKMER, Mr. BARNARD, Mr. FORD of Michigan, Mr. OLIN, Mr. YATES, Mr. MAZZOLI, Mr. ROBINSON, Mr. SAWYER, Mr. CARR, Mr. MAVEROULES, Mr. MRAZEK, Mr. KOLTER, Mr. DE LA GARZA, Mr. MINETA, Mr. CLINGER, and Mr. NATCHER.

H.J. Res. 592: Mr. CONYERS and Mr. WOLFE.

H.J. Res. 595: Mr. ARCHER, Mr. BERMAN, Mr. BOLAND, Mr. BRITT, Mr. CONYERS, Mr. DEWINE, Mr. DWYER of New Jersey, Mr. FAZIO, Mr. FISH, Mr. FLORIO, Mr. GORE, Mr. GREEN, Mr. HANSEN of Idaho, Mr. HORTON, Mr. HUGHES, Mr. HYDE, Mr. KASICH, Mr. LAGOMARSINO, Mr. LEVIN of Michigan, Mr. McNULTY, Mr. O'BRIEN, Mr. OWENS, Mr. RICHARDSON, Mr. ROE, Mr. SIMON, Mr. SMITH of New Jersey, Mr. SOLARZ, Mr. WALGREN, Mr. WEISS, and Mr. WOLF.

H. Con. Res. 58: Mr. BATES.

H. Con. Res. 251: Mr. OWENS, Mr. PATTERSON, and Mr. WALGREN.

H. Con. Res. 271: Mr. HORTON, Mr. GREGG, Mr. HEFTTEL of Hawaii, Mrs. COLLINS, Mr. FISH, Mr. SHAW, Mrs. VUCANOVICH, Mr. CHAPPELL, Mr. HUTTO, and Mr. ROBINSON.

H. Con. Res. 305: Mr. PORTER, Mrs. MARTIN of Illinois, Mr. DEWINE, Mr. LANTOS, and Mr. PATTERSON.

H. Con. Res. 312: Mr. SCHAEFER, Mr. NEAL, Mr. ARCHER, and Mr. MRAZEK.

H. Con. Res. 315: Mr. BATEMAN, Mr. FEIGHAN, Mr. JEFFORDS, and Mr. LUNGREN.

H. Con. Res. 324: Mr. MARTINEZ, Mr. McHUGH, Mr. RICHARDSON, Ms. KAPTUR, and Mr. WILLIAMS of MONTANA.

H. Res. 518: Mr. PARRIS and Mr. MARRIOTT.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

397. By the SPEAKER: Petition of the council of the County of Hawaii, Hilo, HI, relative to losses and damages suffered by native Hawaiians; to the Committee on Interior and Insular Affairs.

398. Also, petition of the Third Congress of the Federated States of Micronesia, relative to the Compact of Free Association; jointly, to the Committees on Foreign Affairs and Interior and Insular Affairs.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3953

By Mr. CARNEY:

Amendment in the nature of a substitute.—Strike out all after the enacting clause and insert in lieu thereof the following:

That section 1401 of the Panama Canal Act of 1979 (22 U.S.C. 3761) is amended—

(1) in subsection (a) by inserting immediately before the period the following: “, other than claims arising by reason of the presence of vessels in the Panama Canal, or waters adjacent thereto”;

(2) in subsection (b) by striking out “subchapter” and inserting in lieu thereof “chapter”;

(3) in subsection (c) by striking out “The acceptance by the claimant of the award” and inserting in lieu thereof “The award”;

(4) by amending subsection (d) to read as follows:

“(d) No action for damages on claims cognizable under this chapter shall lie against the United States or the Commission, and no such action shall lie against any officer or employee of the United States. This section shall not preclude actions against officers or employees of the United States for injuries resulting from their acts outside the scope of their employment or not in the line of their duties, or from their acts committed with the intent to injure the person or property of another.”.

SEC. 2. (a) Subchapter II of chapter 4 of title I of the Panama Canal Act of 1979 (22 U.S.C. 3771-3778), and the items relating to such subchapter in the table of contents of the Panama Canal Act of 1979, are repealed.

(b) Subchapter I of such chapter is amended by striking out

“SUBCHAPTER I—GENERAL PROVISIONS”.

(c) The table of contents of the Panama Canal Act of 1979 is amended in the items relating to chapter 4 of Title I by striking out

“SUBCHAPTER I—GENERAL PROVISIONS”.

SEC. 3. Notwithstanding the amendments made by this Act, the Panama Canal Commission is authorized to adjust and pay, in accordance with sections 1411 and 1412 of

the Panama Canal Act of 1979, as in effect before the enactment of this Act, any claim for injuries filed with the Commission before October 1, 1984, except that the Commission may adjust and pay any such claim for injuries outside the locks of the Canal even if the amount of the claim exceeds \$120,000. The provisions of section 1416 of the Panama Canal Act of 1979, as in effect before the enactment of this Act, shall apply to any claim for injuries which the Commission is authorized under this section to adjust and pay in accordance with section 1411 of the Panama Canal Act of 1979.

H.R. 5220

By Mr. JONES of North Carolina:

(Amendment in the nature of a substitute.)

—Strike all after the enacting clause and insert in lieu the following:

“That this Act may be cited as the “National Defense Shipbuilding Act of 1984”.

Sec. 2. Section 601 of title VI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1171 et seq.) is amended by adding at the end the following new subsection:

“(c) Notwithstanding the restrictions in this section relating to United States construction requirements and subject to amounts provided in appropriations laws, an operator may receive an operating differential subsidy under this title for a vessel constructed in a foreign shipyard if the capitalized cost to the owner of that vessel is not more than the capitalized cost to that owner of a vessel or vessels constructed by that owner in the United States after January 1, 1984, that are eligible for operating differential subsidy.”.

Sec. 3. Title VII of the Merchant Marine Act, 1936 (46 App. U.S.C. 1191 et seq.) is amended:

(1) in section 701, strike “under the provisions of titles V and VI,” and substitute “under titles V, VI, and XIV of this Act,”;

(2) in section 703(b), strike “title V” and substitute “title XIV”;

(3) in section 705, strike “, exclusively serving the foreign trade of the United States,”; and strike the words “and essential” in the first sentence;

(4) in section 713, insert “(a)” after “713,” and at the end add the following new subsection:

“(b) The Secretary shall set the amount charged for a charter of a vessel constructed with amounts under this title—

“(1) when there is foreign competition, at an annual rate that enables the charterer to operate the vessel competitively with foreign vessels; or

“(2) when there is not foreign competition, at an annual rate that is ½th of the cost of the vessel to the United States Government (including interest), minus a defense utility allowance determined by the Secretary.”.

(5) in section 714—

(A) insert “(a)” after “714.”;

(B) strike the first parenthetical phrase;

(C) strike “under title V and VI” and substitute “under titles V, VI, and XIV”; and

(D) strike the second paragraph and substitute the following:

“(b)(1) A vessel constructed under this title only may operate on a voyage—

“(A) in the foreign commerce of the United States;

“(B) in foreign to foreign commerce;

“(C) round-the-world;

"(D) from the Pacific coast of the United States to a port in Europe that includes intercoastal ports of the United States; or

"(E) from the Atlantic coast of the United States to a port in the Orient that includes intercoastal ports of the United States.

"(2) If the charter vessel is operated in the domestic commerce on any voyage allowed under paragraph (1) of this subsection, the charterer shall pay annually to the Secretary, interest and $\frac{1}{2}$ of the difference between the domestic and foreign cost of that vessel, multiplied by the proportion that the gross revenue derived from the domestic voyage bears to the gross revenue derived from the voyages completed during the previous year.

"(c) If a vessel constructed under this title is sold, the price must be competitive with the price of comparable foreign-built vessels." and

(6) by repealing section 716

Sec. 4. The Merchant Marine Act, 1936 (46 App. U.S.C. 1101 et seq.) is amended by adding at the end the following new title:

"TITLE XIV

"SEC. 1401. SHIPYARD REQUIREMENTS

"A shipyard is qualified to receive a shipyard incentive payment under this title if the shipyard—

"(1) is capable of constructing in the United States—

"(A) seagoing vessels of not less than 450 feet in length over all, that meet the requirements of the Secretary of Transportation; and

"(B) simultaneously, at least 3 vessels of the type for which payment application is made; and

"(2) has been designated by rule by the Secretary of Transportation, in consultation with the Secretary of the Navy, as one of the shipyards to which an incentive payment would be in the national interest in order to maintain a sufficient shipyard mobilization base.

"SEC. 1402. VESSEL DESIGN

"(a) On application of a shipyard proposing to build a vessel, the Secretary of Transportation, in consultation with the Secretary of the Navy, shall—

"(1) review the vessel design; and

"(2) publish in the Federal Register the general characteristics of the vessel and a request for other shipyards to submit, within a reasonable time, applications for building a similar vessel.

"(b) The final vessel design proposal must be submitted to the Secretary of Transportation for approval, in consultation with the Secretary of the Navy, to insure it meets the national defense requirements of the United States.

"(c) After a proposal is selected under section 1403 of this Act, changes in the vessel design made by the shipbuilder or person contracting to purchase the vessel resulting in increased costs must be submitted to the Secretary of Transportation for approval before those additional costs may be included in the incentive payment under this title.

"(d) For vessel material and components, the Secretary may not prohibit the use of foreign built components or assemblies or materials used in the components or assemblies except—

"(1) for major components of the hull and superstructure, and materials used in the construction of the hull and superstructure; or

"(2) when the Secretary determines, by rule, that the national interest requires the use of identified United States built components or assemblies and that this use will

not adversely affect the competitive position of United States shipbuilders.

"SEC. 1403. CONSTRUCTION PROPOSALS

"The Secretary of Transportation—

"(1) shall require that proposals submitted under section 1402 of this Act include both the base cost of construction and profit (in dollars) for the construction of the vessel approved under section 1402(b) of this Act;

"(2) shall review the proposal by each bidding shipyard;

"(3) shall reject bids considered collusive;

"(4) may select from among the bidders the lowest qualified proposal; and

"(5) may reopen bids if construction is not contracted for within 6 months of approval.

SEC. 1404. SHIPYARD INCENTIVE PAYMENTS

"(a) The Secretary of Transportation may pay an amount equal to 50 percent of the bid amount to a shipyard qualified to receive a shipyard incentive payment under this title for the construction of a vessel approved by the Secretary under this title. The Secretary shall pay this amount in full when the construction contract is signed.

"SEC. 1405. FINANCIAL INCENTIVES AND PENALTIES

"(a) If the final amount expended by the shipyard is less than the base cost provided in the approved bid—

"(1) the shipyard may retain 50 percent of the difference between those amounts;

"(2)(A) the person, if any, contracting to purchase the vessel, shall receive 30 percent of that difference; or

"(B) if there is not a person contracting to purchase the vessel, the shipyard shall receive an additional 30 percent of that difference; and

"(3) the Secretary of Transportation shall receive 20 percent of that difference, which shall be credited to the defense shipyard account.

"(b) The Secretary shall pay 20 percent of the first 10 percent of the final amount expended by the shipyard that is more than the base cost in the approved bid.

"(c) If the final amount expended by the shipyard is more than 10 percent above the base cost provided in the approved bid, the shipyard is responsible for the amount above the 10 percent increase.

"SEC. 1406. RESTRICTIONS ON COMMERCE

"(a) A vessel constructed in a shipyard with the aid of a shipyard incentive payment under this title only may operate on a voyage—

"(1) in the foreign commerce of the United States;

"(2) in foreign to foreign commerce;

"(3) round-the-world;

"(4) from the Pacific coast of the United States to a port in Europe that includes intercoastal ports of the United States; or

"(5) from the Atlantic coast of the United States to a port in the Orient that includes intercoastal ports of the United States.

"(b) If the vessel constructed with the aid of a shipyard incentive payment under this title is operated in the domestic commerce on any voyage allowed under subsection (a) of this section, the owner shall pay annually to the Secretary, interest and $\frac{1}{2}$ of the difference between the cost of the vessel to the owner and the cost of the vessel if an incentive payment was not made to the shipyard, under this title, multiplied by the proportion that the gross revenue derived from the domestic voyage bears to the gross revenue derived from the voyages completed during the previous year.

"SEC. 1407. SHIPYARD INCENTIVE PAYMENT ACCOUNT

"The shipyard incentive payment account is an account in the Treasury of the United States used by the Secretary of Transportation for the payment for the construction of vessels under this title and title VII of this Act. The account is made up of amounts, including interest—

"(1) appropriated to the account by law;

"(2) paid to the account under section 1405(a)(3) of this Act;

"(3) paid to the Secretary under sections 506, 714(b)(2), and 1406(b) of this Act; and

"(4) received for the charter or sale of vessels under title VII of this Act.

"SEC. 1408. REGULATIONS

"The Secretary of Transportation shall prescribe regulations to implement this title not later than 180 days after the effective date of this section."

Sec. 5. (a) In fiscal year 1985—

(1) \$200,000,000 may be appropriated to the shipyard incentive payment account for the construction of vessels under titles VII and XIV of the Merchant Marine Act, 1936 (46 App. U.S.C. 1101 et seq.);

(2) \$50,000,000 may be appropriated for the purchase of vessels under section 510 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1160).

(b)(1) In fiscal year 1985, a person receiving money from a trade-in, or money from the sale of a vessel traded-out, under section 510 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1160) shall—

(A) use that money to construct vessels in the United States; and

(B) contract for that construction within 3 months from the date of payment.

(2) When the vessels being acquired by the Secretary of Transportation under section 510 was constructed with the aid of a construction differential subsidy and the vessel constructed under paragraph (1)(A) of this subsection is to be operated in the domestic commerce, then the Secretary shall reduce the basis of the vessel being acquired by the amount of the subsidy (including interest).

H.R. 5345

By Mr. ACKERMAN:

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Protestant Episcopal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Southern Episcopal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Apostolic Episcopal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Siddha Yoga Dham of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Shree Gurudev Rudrananda Yoga Ashram.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Free Primitive Church of Divine Communion (Dawn Horse Fellowship).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Kripalu Yoga Ashram.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Subramuniya Yoga Order.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Blue Mountain Center of Meditation.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Divine Light Mission.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by International Society of Krishna Consciousness.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by S.A.I. Foundation.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Sri Aurobindo's Followers.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Yogiraj Sect (Swanandashram).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of the Living God.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Yoganta Meditation Center.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Yogi Gupta Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Sri Chinmoy Centers.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Krishnamurti Foundation of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Temple of Cosmic Religion (Keshavashram International Center).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by International Babaji Kriya Yoga Sangam.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Damascus Christian Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Latin-American Council of the Pentecostal Church of God of New York, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Assembly of Christian Churches, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of God with Signs Following.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Concilio Olazaba de Iglesias Latino Americano.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Defenders of the Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by African Universal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Original Pentecostal Church of God.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by True Fellowship Pentecostal Church of God of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Alpha and Omega Pentecostal Church of God of America, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Holy Church of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Latter House of the Lord for All People and the Church of the Mountain, Apostolic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by True Grace Memorial House of Prayer.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United House of Prayer for All People.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Mt. Sinai Holy Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Universal Christian Spiritual Faith and Churches for All Nations.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The House of God Which Is the Church of the Living God, the Pillar and the Ground of Truth.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Missionaries of the New Truth.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Calvary Grace Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Calvary Grace Christian Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Mazdaznan Movement.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Metropolitan Community Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Brotherhood of Peace and Tranquillity.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Humanity Benefactor Foundation.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by People's Institute of Applied Religion.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Ecumenical Institute.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church for the Fellowship of All People.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Free Church of Berkeley.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of What's Happening Now.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Apostolic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Association Brotherhood of Christians.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Assemblies of the Lord Jesus Christ, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Pentecostal Assemblies of the World.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Apostolic Church of Jesus Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Jesus Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Apostolic Overcoming Holy Church of God.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of Our Lord Jesus Christ of the Apostolic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of the Lord Jesus Christ of the Apostolic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Bible Way Church of Our Lord Jesus Christ World Wide, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by New Bethel Church of God in Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Pentecostal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by the Apostolic Gospel Church of Jesus Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by God's House of Prayer for all Nations, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Bethel Ministerial Association.

follows:

Nothing in this act shall grant a right of access to school facilities by The Universal Christian International Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Roman Catholic Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Reformed Catholic Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Universal Christian Apostolic Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Renovated Church of Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Old Catholic Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Way of the Cross Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by House of the Lord.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Fire Baptized Holiness Church of God of the Americas.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Church of God in Christ, International.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Sought Out Church of God in Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Berean Fundamental Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Evangelical Ministers and Churches, International, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The International Ministerial Federation, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Church of Christian Liberty.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Cathedral of Tomorrow.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by American Evangelical Christian Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Moody Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Fellowship of Independent Evangelical Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Bethany Bible Church and Related Independent Bible Churches of the (Arizona) Area.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Associated Gospel Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Ohio Bible Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Independent Fundamental Bible Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Independent Fundamental Churches of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Plymouth Brethren (Exclusive: The Tunbridge Wells Brethren).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Plymouth Brethren (Exclusive: Ex-Taylor Brethren).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Plymouth Brethren (Exclusive: Taylor Brethren).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Plymouth Brethren (Exclusive: Ames Brethren).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Plymouth Brethren (Exclusive: Booth-Continental).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Churches of God in the British Isles and Overseas (Needed Truth).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Plymouth Brethren (Open).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

follows:

(Amendment to Mr. Bonker's amendment.)

Nothing in this act shall grant a right of access to school facilities by New Covenant Apostolic Order.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by World Christian Liberation Front.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by International Christian Ministries.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Christian Foundation.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Way Biblical Research Center.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Voice of Elijah, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Avalon.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Harvest House Ministries.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Self Realization Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Hare Krishna.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by People's Temple Christian Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of Scientology.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Institute of Ability.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Unification Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Foundation Faith of the Millennium Institute for Cosmic Wisdom.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Seax-Wicca.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Mental Science Institute.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by ESP Laboratory.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Astral Coven.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of Aphrodite.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Ordo Templi Astarte.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Fereferia.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Fellowship of Hesperides.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Dancers of the Sacred Circle.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of All Worlds.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Pagan Way.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Uranus Temple.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Neo-Dianic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Nemeton.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Reformed Druids of North America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Delphic Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of Eternal Source.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Pristine Egyptian Orthodox Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Congregation of Aten.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Lady Sara's Coven.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Viking Brotherhood.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Teutonic Temple.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Runic Society.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Sabaeen Religious Order of Am'n.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Psychedelic Venus Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Shiva Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Discordian Society.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Temple of Set.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Fraternity of the Goat.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Leroy Jenkins Evangelistic Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Miracle Revival Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by First Revival Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by First Deliverance Church of Atlanta.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Kathryn Kuhlman Foundation.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Mita Movement.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Hall Deliverance Foundation.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Hall Deliverance Foundation.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of God.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Apostolic Church of Jesus.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by International Ministerial Association, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Moncado Foundation of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Bible Methodist Connection of Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Churches of God (Independent Holiness People).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Moncado Foundation of America, Church of the Nazarene.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Holiness Christian Church of the United States of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Metropolitan Church Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Christian and Missionary Alliance.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Christian Nation Church, U.S.A.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Missionary Christian and Soul Winning Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Goddian Organization.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by American Ethical Union.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Confraternity of Deists, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Church of the Humanitarian God.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by American Humanist Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by American Association for the Advancement of Atheism.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Free Thinkers of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Secularists of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by American Atheists, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Americans First, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Evangelical Methodist Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Evangelical Methodist Church of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The African Methodist Episcopal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Reformed Methodist Union Episcopal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Reformed Zion Union Apostolic Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The African Methodist Episcopal Zion Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Free Christian Zion Church of Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The African Union First Colored Methodist Protestant Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Christian Methodist Episcopal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Union American Methodist Episcopal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Christian Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Brethren in Christ (Old Constitution).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Evangelical Congregation Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Primitive Methodist Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Wesleyan Methodist Church of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Churches of God in North America (General Eldership).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of God (Anderson, Indiana).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Association of Fundamental Ministers and Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of God (Guthrie, Oklahoma).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The New Testament Church of God, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Undenominational Church of the Lord.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of Our Lord Jesus Christ of the Apostolic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of the Lord Jesus Christ of the Apostolic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Bible Way Church of Our Lord Jesus Christ World Wide, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by New Bethel Church of God in Christ (Pentecostal).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Pentecostal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Apostolic Gospel Church of Jesus Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by God's House of Prayer for All Nations, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Scripture Research Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Workers Together with Elohim.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of God (Jerusalem).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Assemblies of Yahweh (Michigan).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Assemblies of Yahweh.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Assembly of Yahvah (Oregon).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Missionary Dispensary Bible Research.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Assemblies of Yah.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Fire Baptized Holiness Church of God of the Americas.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by House of the Lord.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Ways of the Cross Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of the Living God (CWFF).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The House of God Which Is the Church of the Living God, the Pillar and Ground of Truth.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Universal Christian Spiritual Faith and Churches for All Nations.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Mt. Sinai Holy Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United House of Prayer for All People.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United House of Prayer for All People.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by True Grace Memorial House of Prayer.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Latter House of the Lord for All People and the Church of the * * *.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Mountain, Apostolic Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Holy Church of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Alpha and Omega Pentecostal Church of God of America, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by True Fellowship Pentecostal Church of God of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by African Universal Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Light House Gospel Fellowship.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Church of the Little Children.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Association of Seventh-Day Pentecostal Assemblies.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Romanian Apostolic Pentecostal Church of God of North America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by World Renewal, Incorporated.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Alpha and Omega Christian Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by ———.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Evangelical Bible Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Body of Christ Movement.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The International Christian Churches.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Full Gospel Defenders Conference of America.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The American Evangelistic Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Church of God by Faith.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Grace Gospel Evangelistic Association International, Inc.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Gospel Harvesters Evangelistic Association (Atlanta).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Gospel Harvesters Evangelistic Association (Buffalo).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Glad Tidings Missionary Society.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by United Evangelical Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by International Evangelism Crusades.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The United Christian Ministerial Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Universal World Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Christ Faith Mission.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Universal Church, the Mystical Body of Christ.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Full Gospel Minister Association.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by The Mennonite Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Reformed Mennonite Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Old Order (Wisler) Mennonite Church.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Old Order (Wenger) Mennonites.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Weaverland Conference Old Order (Hornig or Black Bumper).

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Mennonites.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Old Order (Reidenbach) Mennonites.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by Southeastern Yearly Meeting.

Adventist Church.
(Amendment to Mr. Bonker's amendment.)

Nothing in this act shall grant a right of access to school facilities by Pastoral Bible Institute.

(Amendment to Mr. Bonker's amendment.)

—Add to the end of the amendment offered by Mr. Bonker a new section to read as follows:

Nothing in this act shall grant a right of access to school facilities by New Creation Bible Students.

H.R. 5345

By Mr. SCHUMER:

(Amendment to the amendment in the nature of a substitute offered by Mr. Bonker.)

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Non-school persons may not attend meetings of student religious groups and may not directly or indirectly sponsor, conduct, control or direct activities of student religious groups."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to limit the authority of the school, its agents or employees to deny access to those groups which, in its judgment, sponsor activities which are potentially dangerous to the security of the schools."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to limit the authority of the school, its agents or employees to deny access to those groups which, in its judgment, sponsor activities which are tied to the recruitment of new members."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to limit the authority of the school, its agents or employees to deny access to those groups which, in its judgment, sponsor activities which interfere with the orderly administration of the schools."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to limit the authority of the school, its agents or employees to deny access to those groups which, in its judgment, sponsor activities which are damaging to the health and welfare of its students."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to abridge the rights of any person under the First or Fourteenth Amendments of the Constitution of the United States."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Agasha Temple of Wisdom."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant

access to a school facility by Pyramid Church of Truth and Light."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Spiritual Prayer Home, Inc."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by National Spiritual Aid Association, Inc."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Church of Revelation."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Metropolitan Spiritual Churches of Christ, Inc."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Superet Light Center."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by National Spiritual Alliance of the U.S.A."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Church of the Four Leaf Clover."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Progressive Spiritual Church."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Church of the Gnosis (Pre-Nicene Christianity)"

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Aryo-Christian Church of St. George of Cappadocia."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the I AM."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Bridge to Freedom."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Summit Lighthouse."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Sacred Society of the Eth, Inc."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Sologa, Inc."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Sanctuary of the Master's Presence."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Church of Essential Science."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Foundation for Science of Spiritual Law."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Universal Christ Church Inc."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by Lotus Ashram."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by The Holy Grail Foundation."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Universal Church of Psychic Science."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Churches of Spiritual Revelation Association."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Christian Spirit Center."

—Add the following new section: "Nothing in this Act shall be construed to grant

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Father's House."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Sisters of the Amber."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Morse Fellowship."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Word Foundation."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Urantia Foundation."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Light of the Universe."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the American Grail Foundation."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant

access to a school facility by the Martinus Institute of Spiritual Science."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the Inner Circle Kethra E'Da Foundation, Inc."

Amendment by Mr. Schumer to the amendment in the nature of a substitute offered by Mr. Bonker to H.R. 5345:

—Add the following new section: "Nothing in this Act shall be construed to grant access to a school facility by the School of Natural Science."

H.R. 5602

By Mr. GREEN:

—Page 14, insert after line 22 the following:

(d) Section 788 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following:

"(f) The Secretary may make grants to schools of veterinary medicine for (1) the development of curriculum for training in the care of animals used in research, the treatment of animals while being used in research, and the development of alternatives to the use of animals in research, and (2) the provision of such training."

Page 14, line 14, strike out "and (e)" and insert in lieu thereof "(e), and (f)" and in line 23 strike out "(d)" and insert in lieu thereof "(e)".

H.R. 5973

By Mr. WOLPE:

—Page 52, after line 2, insert the following new item:

SYNTHETIC FUELS CORPORATION (Recission)

Of the funds appropriated in the Energy Security Reserve for the use of the United States Synthetic Fuels Corporation, \$10,250,000,000 is rescinded.

By Mr. CONTE:

—Page 47, after line 2, insert the following:

DEPARTMENT OF THE TREASURY ENERGY SECURITY RESERVE (Recission)

Of the funds appropriated to the Energy Security Reserve by the Department of the Interior and Related Agencies Appropriations Act, 1980 (Public Law 96-126), \$9,000,000,000 are rescinded.

H.R. 5973

By Mr. FRENZEL:

—After line 2, page 72 add the following new section:

"Sec. . Notwithstanding any other provision of this Act, all funds appropriated by this Act, except those funds appropriated under:

(1) Title I, Department of Interior, Bureau of Land Management, for Range Improvement;

(2) Title I, Department of Interior, Bureau of Land Management, for Miscellaneous Trust Funds;

(3) Title I, Department of Interior, Bureau of Indian Affairs, for Tribal Trust Funds;

(4) Title II, Department of Agriculture, Forest Service, for that portion of Construction made available for obligation for the construction of forest roads by timber purchasers;

(5) Title II, Department of Energy, for the SPR Petroleum Account; are hereby reduced by 3.3 percent."

H.R. 5973

By Mr. GILMAN:

—Page 72, after line 2, add the following section:

Sec. 314. None of the funds provided by this Act to any department or agency may be obligated or expended to purchase land or interests in land for purposes of the segment of the Upper Delaware River designated under section 3(a)(19) of the Wild and Scenic Rivers Act.

By Mr. WEAVER:

—Page 42, line 11: Strike out "\$234,048,000", and insert in lieu thereof "\$222,548,000".

Page 40, line 23: Strike out "\$120,710,000", and insert in lieu thereof "\$132,210,000".